

## CALIFORNIA LEGISLATURE—SENATE.

## FORTY-FIRST (EXTRA) SESSION.

IN SENATE.

SENATE CHAMBER, SACRAMENTO, CAL.

Wednesday, January 5, 1916.

The Senate met at 2:00 o'clock p.m., pursuant to the provisions of the proclamation of His Excellency, Hiram W. Johnson, Governor of the State of California, dated January 1st, 1916, convening the Legislature of the State of California on this day in extraordinary session.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair pursuant to the provisions of section 238, article II of the Political Code.

Pursuant to the provisions of section 237 of article II of the Political Code, Edwin F. Smith, Secretary of the Senate; Clifton E. Brooks, Minute Clerk and Thos. A. Brown, Sergeant-at-Arms, were present, and occupied their respective positions.

Lieutenant Governor John M. Eshleman now called the Senate to order. The roll was called and the following Senators answered to their names:

Senators Ballard, Benson, Birdsall, Breed Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt Rush, Scott, Shearer, Slater, Strobridge, Stuckenbuck, Thompson, Tyrell, and Wolte—35.

Quorum present.

## PRAYER.

Prayer was offered by Rev. Father Henry I. Stark, Chaplain of the Senate

## PROCLAMATION OF THE GOVERNOR.

The President directed the Secretary, Edwin F. Smith, to read the proclamation by the Governor convening the Legislature in extraordinary session.

Whereupon the Secretary read the following proclamation:

## PROCLAMATION BY THE GOVERNOR CONVENING THE LEGISLATURE IN EXTRAORDINARY SESSION

## EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

WHEREAS, An extraordinary occasion has arisen and now exists requiring that the Legislature of the State of California be convened.

Now, therefore, I HIRAM W. JOHNSON, Governor of the State of California, by virtue of the power and authority in me vested by section 9 of article V of the Constitution, do hereby convene the Legislature of the State of California to meet and assemble in extraordinary session, at Sacramento, California, on Wednesday, the fifth day of January, one thousand nine hundred and sixteen, at two o'clock p.m. of that day for the following purposes and to legislate upon the following subjects to wit:

1. To amend the Direct Primary Law relating to nominations of candidates for public office, approved June 16, 1913, so that the same shall provide for the nomination by electors, political parties and organizations of electors of candidates for public office in such manner as to conform to other existing election laws, and thereby enable electors registered pursuant to such existing laws to participate in nominating such candidates thereunder.

2. To amend sections 3, 6, and 9 of the Presidential Primary Act approved April 28, 1915, so that electors registered pursuant to existing laws may participate in nominating candidates for delegates theretunder; and to add a new section to such act calling and providing for a presidential primary election to be held on the second day of May, 1916.

3. To authorize the Board of Trustees of the San Francisco State Normal School to select a new site for said school upon the lands heretofore and now occupied or owned by the Panama-Pacific International Exposition or any corporation representing or acting for or in conjunction with said Exposition and in event of such selection of said new site, provide for and authorize the sale or exchange of the present site of said normal school and the disposition of improvements thereon.

To provide for and authorize said Board of Trustees to acquire by purchase, gift, condemnation, or otherwise all necessary lands, buildings, improvements, and equipment for such school, and, for this purpose, to authorize the condemnation of publicly or privately owned lands and improvements, to provide for and authorize the city and county of San Francisco to abandon and close streets, or portions of streets within and about the site so selected and to transfer title thereto for the use of said State Normal School, and to provide for and authorize the use, in connection with such site, of State lands adjacent thereto.

To provide for the disposition of any proceeds of the Panama-Pacific International Exposition accruing to the State from the Panama-Pacific International Exposition Company through the operation of said Exposition, or otherwise, or of any money or property that may be due to or be given to the State by said Exposition Company or its directors, to make appropriations thereof, and to authorize the Board of Trustees of the State Normal School, or any official or officials of the State, to accept property for or on behalf of the State in full or partial settlement of the claims of the State to its proportion of such proceeds or money or property.

4. To consider and act upon an amendment to the act of the Legislature of the State of California entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending its provisions so as to authorize and provide for the use of said Balboa Park for exposition purposes during the years 1916 and 1917, and to do what may be deemed appropriate or necessary in relation to the Panama-California International Exposition of San Diego.

In witness whereof, I have hereunto set my hand and caused to be affixed hereunto the Great Seal of the State of California, at my office in the State Capitol this first day of January, in the year of our Lord one thousand nine hundred and sixteen.

[SEAL] HIRAM W. JOHNSON, Governor  
Attest FRANK C. JORDAN, Secretary of State  
By FRANK H. CORY, Deputy.

#### RESOLUTIONS.

The following resolutions were offered:

By Senator Thompson:

*Resolved*, That the Senate do now organize and proceed to elect the officers and employees of the Senate for this extra session.

Resolution read, and on motion adopted

Also by Senator Strobridge:

*Resolved*, That Honorable N. W. Thompson be and he is hereby elected President pro tem. of the Senate, that Edwin F. Smith be and he is hereby elected Secretary of the Senate, that Thomas A. Brown be and he is hereby elected Sergeant-at-Arms of the Senate; that Clifton E. Brooks be and he is hereby elected Minute Clerk of the Senate, that Reverend Father Henry J. Stark be and he is hereby elected Chaplain of the Senate.

Resolution read

Senator Strobridge moved that the resolution be adopted

The roll was called and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbrueck, Tyrell, and Wolfe—31.

Noes—None

Whereupon the President declared each person named in the foregoing resolution elected

**Also by Senator Carr:**

*Resolved*, That the standing rules of the forty-first regular session be and the same are hereby adopted as the rules of the Senate at this special session, except that Rule 8 be amended to read as follows

"8. The standing committees of the forty-first regular session shall be the standing committees of this extra session."

Resolution read.

Senator Carr moved that the resolution be adopted.

The roll was called and the resolution adopted by the following vote:

**AYES**—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stiobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—<sup>23</sup>

**Noes**—None

**STANDING RULES OF THE SENATE.***Time of Sessions.*

Rule 1. The sessions of the Senate shall be daily (Sundays excepted), beginning at 10 o'clock a.m. and commencing on the second day of the session following the constitutional recess, a recess shall be taken at 12:30 p.m. to 2 p.m., unless otherwise ordered by vote of the Senate.

*Calling to Order.*

2. The President, President pro tem., or senior member present, shall call the Senate to order at the hour stated, and if a quorum be present proceed with the order of business.

*Order of Business.*

3. Order of business:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and approval of the Journal of the Preceding Day.
4. Presentation of Petitions.
5. Messages from the Assembly.
6. Messages from the Governor.
7. Reports of Standing Committees.
8. Reports of Select Committees.
9. Motions, Resolutions, and Notices.
10. Introduction and First Reading of Bills.
11. Consideration of Daily File.
12. Unfinished Business.
13. Special Order of the Day.

Reports from the Committee on Engrossment and Enrollment shall at all times be in order, *provided*, that messages from State officers, other than the Governor, and from the Assembly, may, on motion of any Senator, be considered at any time.

*President—His Powers and Prerogatives*

4. The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, and bills of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to properly accredited newspaper representatives.

*President May Order Lobbies Cleared*

5. In case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have power to order the same cleared.

*President May Call Senator to Chair.*

6. The President shall have the right to name any Senator to perform the duties of the chair, who shall be vested, during such time, with all the powers of the President, but such substitute shall not lose the right of voting on any question while so presiding.

*Appointment to Committees*

7. All standing committees of the Senate shall be named by the President of the Senate unless otherwise ordered, and the first named shall be the chairman thereof. All other committees shall be appointed in such manner as the Senate shall determine.

*Standing Committees.*

8. The standing committees of the forty-first regular session shall be the standing committees of this extra session.

*President pro tem.—His Powers and Privileges*

9. The President pro tem. shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President, but the President pro tem. shall vote only as any other member of the Senate.

*Duties of Secretary.*

10. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

2 To superintend all copying and work to be done for the Senate. To have supervision over all the attaches and employees of the Senate. To assign, reassign or transfer all attaches or employees to their respective duties. To certify and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

3 To keep a correct journal of the proceedings of the Senate.

4 To notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

5 To permit no papers or records belonging to the Senate to be taken out of its custody otherwise than in the regular course of business.

*Records or Papers Not to Be Taken From Desk.*

11. The Secretary of the Senate shall not permit any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee, but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment and Enrollment, and take receipts therefor.

*Sergeant-at-Arms*

12. A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during all of its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and release, and the traveling expenses for himself and special messenger going and returning shall be paid out of the contingent fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.

*Printed Bills, Etc., Must Be Placed on Desks*

13. The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and journals and histories, when printed, on the desks of Senators, at least one hour previous to the opening of session.

*Gatekeeper.*

14. It shall be the duty of the gatekeeper to prevent all persons except Senators, ex-Senators, members of the Assembly, State officers of the two houses, and such accredited newspaper representatives as have seats assigned to them by the President, from coming within the bar of the Senate, unless upon written invitation of the President or a Senator; provided, that no visitor shall be allowed upon the floor while the Senate is in session.

*Lobbying*

15. No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time the Senate is in session. Any person transgressing this rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and President pro tem are charged with the enforcement of this rule, and this rule can not be suspended except by a two-thirds vote of the entire Senate.

*Attendance, Duties and Obligations of Senators.*

16. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for non-attendance as shall be made to the Senate, when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate, and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of

the Senate, or less than a quorum present,<sup>1</sup> shall have the power to issue process directed to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process, unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

#### *Decorum and Debate.*

17. 1 When a Senator desires to address the Senate he shall rise in his place, address the President, and when recognized he shall proceed to speak.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. No Senator shall be interrupted when speaking, and no question shall be asked him except those through the presiding officer.

4. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

#### *Senator Entitled to Floor.*

18. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

#### *Senator, When Called to Order, Must Sit Down.*

19. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

#### *Voting.*

20. When a Senator declines to vote on a call of his name he shall be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate, "Shall the Senator, for the reasons assigned by him, be excused from voting?" which shall be decided without debate. And these proceedings shall be had after the roll call and before the result is announced, and any further proceedings in reference thereto shall be after such announcement.

#### *Printing.*

21. Fifteen hundred copies of all bills shall be printed, and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity. One copy of each bill or paper printed by order of the Senate shall be delivered to each Senator at his desk, and the balance shall be distributed according to law.

#### *Number of Copies to be Printed.*

22. Seven hundred and fifty copies shall be printed of each document or other matter ordered, unless the Senate especially directs a different number.

#### *Number of Copies to be Printed of Journal.*

23. The Superintendent of State Printing shall print one thousand copies of the Journal of each day's proceedings of the Senate, and one copy of the same shall be placed upon each Senator's desk, and a sufficient number sent to the Assembly to supply each Assemblyman with one copy, he shall also print a sufficient number of copies properly pagged, to bind in book form as the Journal of the Senate, at the end of the session, as required by law.

#### *What Shall be Printed in the Journal.*

24. Messages from the Governor (other than biennial messages and inaugural addresses), joint and concurrent resolutions and constitutional amendments, when adopted, and the titles of all bills, joint and concurrent resolutions and constitutional amendments, when acted upon by the Senate shall be printed in the Journal in full.

#### *Record of Votes and Petitions.*

25. Every vote and a brief statement of the contents of each petition, memorial, or paper presented to the Senate shall be entered in the Journal.

#### *When Not in Committee of the Whole, Proceedings Must be Entered in the Journal.*

26. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

#### *Printing for the Senate.*

27. The Superintendent of State Printing shall not print for the use of the Senate any matter other than provided by law, unless upon a written order signed

by the Secretary. The Secretary may, when necessity requires, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under a specially prepared written order, to be known as a "Rush Order."

*Introduction and Reading of Bills.*

28. 1. A Senator desiring to introduce a bill shall rise in his place and address the President, and upon being recognized shall present the bill. The title shall be announced by the Secretary, the bill shall be read the first time and thereupon referred by the President to a standing committee. No bill shall be introduced in the Senate by any member after the constitutional recess without the consent of three-fourths of the members of the Senate, nor shall more than two bills be introduced by any one member after such recess. Every bill shall be read on three several days previous to its passage (unless in case of urgency, two-thirds of the Senate shall by vote of ayes and noes, dispense with this provision), and the last reading shall be at length. The President shall give notice, at each of the second and third readings, which reading it is, and no bill shall be read at either reading until the Senate has so determined by a vote (should any Senator object to such reading). Joint and concurrent resolutions shall be treated the same as bills, provided they shall be read but once, unless the Senate, by a majority vote of all the Senators present, otherwise direct; and provided, further, that joint and concurrent resolutions and constitutional amendments shall not be deemed bills within the meaning of section 2 of article IV of the Constitution and shall not be referred to the Committee on Introduction of Bills and shall not require a vote to authorize their introduction.

2. The titles of all bills, joint and concurrent resolutions, and constitutional amendments introduced shall be printed in the Journal.

3. When a bill amending a code section is introduced, the author of the bill shall cause the new matter, if any, to be underscored, and the place in the bill where portions of the law are proposed to be omitted, if any, to be indicated by closed brackets; provided, however, that where the subject consists of an entirely new section the words thereof need not be underscored, and when any bill introduced repeals an existing law in whole the matter repealed need not be indicated.

All bills reported favorably or for consideration, if reported with amendments, shall have the new matter, if any, underscored, and the place of omission of parts of the law proposed to be omitted, if any, shall be indicated by brackets. All bills reported with amendments shall be immediately reprinted.

All matter underscored in the draft or amendment of any bill shall be printed by the Superintendent of State Printing in italics, and all brackets shall be reproduced.

*Order of Engrossing and Enrolling Bills.*

29. All bills ordered engrossed shall be delivered by the Secretary of the Senate to the Committee on Engrossment and Enrollment or to the clerk of the committee and a receipt in writing taken therefor, and all said bills shall be engrossed in the order of their receipt by the committee or its clerk. All Senate bills shall, after their final passage by, and receipt from the Assembly, be delivered by the Secretary of the Senate in the order of their receipt from the Assembly, to the Committee on Engrossment and Enrollment or its clerk and a receipt in writing taken therefor; and said bills shall be enrolled in the order of their receipt from the Secretary of the Senate.

*Engrossed Bills to Be Examined and Reported.*

30. All bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossment and Enrollment, the engrossed copy to be transmitted to the Assembly with proper endorsements, and the original retained by the Senate.

*Disposition of Assembly Bills.*

31. When an Assembly bill has been received by the Senate, with a message announcing that it has passed the Assembly, such bill shall be read the first time and be referred by the President to a standing committee, provided, however, that when an Assembly bill is received, the text of which is stated by a member to be identical with that of a Senate bill, which has already been considered and reported by a standing committee of the Senate, such Assembly bill shall be referred to the Committee on Engrossment and Enrollment for comparison, which committee shall report without delay, whether or not such bill is identical with the Senate bill. If reported identical, such Assembly bill shall be substituted for the Senate bill, shall take its place on the second-reading file and be considered as having received the same committee recommendation as the Senate bill; provided, that the fact that the bills are identical shall be entered in the journal. Such Senate bill shall thereupon be placed upon the file of unfinished business.

*Reference of Bills to Finance Committee.*

32. All bills appropriating money from any fund shall be referred to the Committee on Finance before being read the second time.

*Committee Amendments—How Made.*

33. When amendments to a bill are reported by a committee, the clerk of such committee shall prepare three copies of amendment, one to go with the bill to the Superintendent of State Printing, one to the Minute Clerk, and one to the Secretary of the Senate.

*Committee—When to Report.*

34. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Senate forthwith, and the chairman of each committee is charged with the observance of this rule, *provided*, that the Senate may at any time, by a majority vote, recall a bill from any committee.

*Standing Committee, Quorum of—What Constitutes*

35. Each standing committee shall determine its own quorum: *provided*, that not less than one-third of the number of members constituting such committee shall in any case constitute such quorum.

*Leave of Absence to Committee.*

36. When leave of absence shall be granted to any committee, special or standing, to visit public buildings or institutions, or for any other purpose, such leave shall be granted only by two-thirds vote, and no expenses or mileage of attaches shall be allowed.

*Claims on Contingent Fund Must Go to Committee on Contingent Expenses.*

37. No claim shall be paid out of the Contingent Fund of the Senate until the same shall have been referred to and reported on by the Committee on Contingent Expenses.

*Executive Communications and Nominations to Committee.*

38. When executive communications or nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, which motion shall be determined without debate.

*The General File, Its Hours—Special Order of Bills on File*

39. The General File shall be the special order for each day between such hours as the Senate may determine, unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration.

*Bills Passed on File Placed at Foot of File.*

40. When bills have been passed on file for the second time they must be placed at the foot of the file in their regular order, unless otherwise ordered by the Senate.

*Consideration of Bills*

41. All bills, after the second reading (if the same be not committed, then upon being reported), shall be placed upon the general file and shall be taken up for consideration and passage in the order of their being placed on file.

*Order of Questions on Motion to Refer.*

42. When a resolution shall be offered, or a motion made to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

*Order of Questions Under Debate*

43. When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

*Motion Not to be Debated Until Seconded and Announced.*

44. No motion shall be debated until the same be seconded and distinctly announced by the President, and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary, before the same shall be debated.

*Reading of a Paper, if Objected to, Determined Without Debate.*

45. When the reading of a paper (except a petition) is called for, and the same is objected to by any Senator, the question shall be determined by a vote of the Senate.

*Amendments and Substitutes—When in Order.*

46. Substitutes may be offered at any time when a bill or resolution is open to amendment, previous to engrossment; and when adopted shall take the place of the original bill or resolution, and shall be open to amendment.

*Amendments and Substitutes—Must be Germane.*

47. A substitute or amendment must relate to the same subject as the original bill, resolution or constitutional amendment under consideration.

*Least Sum and Shortest Time in Filling Blanks.*

48. In filling up blanks, the least sum or number and the shortest time shall be put first.

*Constitutional Amendments and Bills Requiring a Two-thirds Vote May be Amended by a Vote of Majority of Those Voting.*

49. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

*Notice of Reconsideration.*

50. On the day succeeding that on which a final vote on any bill, concurrent or joint resolution, or constitutional amendment has been taken, said vote may be reconsidered on motion of any Senator, provided, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a Senator voting with the prevailing side; and it shall not be in order to reconsider on the day on which such final vote was taken. Said motion for reconsideration shall have precedence over every other motion, except a motion to adjourn. It shall require twenty-one votes to carry any motion to reconsider the vote by which any bill, concurrent or joint resolution has been passed or defeated, and twenty-seven votes to carry any motion to reconsider the vote by which any constitutional amendment has been passed or defeated. Notice of reconsideration shall not be in order on the day preceding the last day of the session.

*Reconsideration of Bills Sent to Assembly.*

51. When a bill, resolution, amendment, order or message upon which a vote has been taken shall have gone out of the possession of the Senate and been communicated to the Assembly, a motion to reconsider shall be preceded by a motion to request the Assembly to return the same, which last-named motion shall be acted upon immediately and without debate, and if determined in the negative, shall be a final disposition of the motion to reconsider.

*Secretary, Upon Notice of Reconsideration, Not to Report Bill to Assembly*

52. If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not transmit the bill, concurrent or joint resolution, or constitutional amendment to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired, unless the bill or resolution has already been transmitted to the Assembly.

*Motion to Reconsider May Be Debated.*

53. A Senator, after a notice to reconsider is given, as provided in Rule 50, may, at the reconsideration thereof, present the main question in his argument thereon, and the same may be debated by the Senate provided that the subject-matter is debatable.

*Amendment to Original Question.*

54. 1. An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

2. If the question in debate contains several propositions, any Senator may have the same divided; except a motion to strike out and insert shall not be divided. The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor shall it prevent a motion to simply strike out, nor shall the rejection of a motion to strike out prevent a motion to strike out and insert, but pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded, for the purpose of amendment, as a question. Motions to amend the part to be stricken out shall have precedence.

*Final Question on Second Reading of Bill—No Amendment on Third Reading, but May Commit.*

55. The final question on the second reading of every bill originating in the Senate shall be "Shall the bill be engrossed?" And no amendment shall be received for discussion at the third reading of any bill; but it shall at all times be in order, before the final passage of such bill, to move its commitment under special instructions to amend.

*Special Orders*

56. Any subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

*Form of Previous Question—Call of Senate*

57. The previous question shall be put in the following form "Shall the question be now put?" It shall only be admitted when demanded by a majority of the Senators present upon division; and its effect shall put an end to all debate except that the author of the bill or the amendments shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote. On a motion for the previous question prior to a vote being taken by the Senate, a call of the Senate shall be in order.

*Ayes and Noses: Members Must Answer—No Vote After Announcement of Vote.*

58. When the ayes and noses shall be called for by three members present, every member within the bar of the Senate at the time the question was put shall declare openly, and without debate, assent or dissent to the question. In taking the ayes and noses, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noses shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the announcement of the vote by the presiding officer.

*Rules in Senate and Committee of the Whole.*

59. The rules of the Senate shall be observed in Committee of the Whole, so far as may be applicable, except limiting the number of times a Senator may speak, and except that the ayes and noses shall not be taken.

*Suspension or Changing Rules*

60. No standing rules or order of the Senate shall be rescinded or changed without a vote of two-thirds of the entire Senate, and one day's notice being given of the motion therefor, but a rule or order may be suspended temporarily by a vote of two-thirds of the members of the Senate, except that portion of Rule 29, relating to the order of enrolling bills. All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

*Executive Session.*

61. When a motion is adopted to close the doors of the Senate, on the discussion of any business, which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary and Sergeant-at-Arms to withdraw and during the discussion of said business, the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

*Messengers, When Introduced*

62. Messengers may be introduced at any stage of business except while a question is being put, while the ayes and noses are being called, while ballots are being counted or while a Senator is addressing the Senate.

*Smoking.*

63. No smoking shall be allowed within the Senate Chamber.

*Leave of Absence of Members of the Senate Visiting Public Institutions.*

64. No leave of absence shall be granted any committee, special or standing, to visit any public institutions of the State or for any other purpose. Whenever any committee shall report to the Senate that it is desirable that such committee receive information concerning any public institution, the Senate may by a two-thirds vote of all its members, grant a leave of absence to not more than three members of such committee, to be designated by the Chairman thereof. Application for a leave of absence of such members of a committee shall be made to the Senate in writing by the Chairman thereof and such application shall give the name of the institution or institutions to be visited and briefly recite the occasion and necessity for visiting the same together with the names of the committeemen designated for that purpose. Such application shall immediately, and without debate, be referred to the Committee on Rules, with instructions, to report upon the same on the next legislative day. Said members shall be allowed their actual expenses.

*Cases Not Provided for, Robert to Govern*

65. In all cases not provided for by these rules, the Senate shall be governed by the laws and practices as laid down in Robert's Rules of Order.

## RESOLUTIONS—(RESUMED).

The following resolutions were offered:

By Senator Campbell:

*Resolved.* That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate is now duly organized and ready to proceed to the business of the State, having elected the following statutory officers

|                               |                            |
|-------------------------------|----------------------------|
| President pro tem -----       | Hon. N. W. Thompson        |
| Secretary of the Senate ----- | Edwin F. Smith             |
| Sergeant-at-Arms -----        | Thos. A. Brown             |
| Minute Clerk -----            | Clifton E. Brooks          |
| Chaplain -----                | Rev. Father Henry I. Stark |

Resolution read, and on motion adopted

Also by Senator Cogswell:

*Resolved.* That a committee of three Senators be appointed by the President of the Senate now ready for business, and to receive any communication he may desire to make.

Resolution read, and on motion adopted

## APPOINTMENT OF COMMITTEE.

In accordance with the above resolution the President of the Senate appointed Senators Cogswell, Ballard, and Slater, as a committee from the Senate to wait upon the Governor.

## APPOINTMENTS BY SECRETARY.

The following communication was received and read:

SACRAMENTO, January 5, 1916.

*To the President and Members of the Senate of the State of California*

I have the honor to inform you that I have this day appointed J. W. Kavanagh to the position of Assistant Secretary and Clerk of the Committee on Printing at a per diem of \$9.00 and J. A. Miller to the position of Assistant Secretary at a per diem of \$7.00 and respectfully ask the consent of the Senate thereto

EDWIN F. SMITH, Secretary

Senator Thompson moved that the appointments by the Secretary be confirmed by the Senate.

The question being on the confirmation of the appointments

The roll was called, and the appointments confirmed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—29

NOES—None

## APPOINTMENT BY SERGEANT-AT-ARMS

The following communication was received and read:

SACRAMENTO, January 5, 1916.

*To the President and Members of the Senate of the State of California*

I have the honor to inform you that I have this day appointed Mr. James B. Newsom to the position of Bookkeeper to the Sergeant-at-Arms, and respectfully ask the consent of the Senate thereto

THOMAS A. BROWN, Sergeant-at-Arms

Senator Strobridge moved that the appointment by the Sergeant-at-Arms be confirmed by the Senate.

The question being on the confirmation of the appointment

The roll was called, and the appointment confirmed by the following vote.

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30  
NOES—None.

#### LEAVE OF ABSENCE.

Senator Beban was, on motion of Senator Crowley, granted leave of absence for this day

#### RECESS.

At two o'clock and eighteen minutes p.m. on motion of Senator Thompson, the President declared the Senate at recess until two o'clock and thirty minutes p.m.

#### RECONVENED.

At two o'clock and thirty minutes p.m. the Senate reconvened

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair

Secretary Edwin F. Smith at the desk

#### REPORT OF COMMITTEE TO WAIT UPON THE GOVERNOR

Senator Cogswell as chairman of the committee appointed from the Senate to wait upon the Governor and inform him that the Senate was organized and ready for business reported that the said committee had performed the duty assigned to it and that the Governor would shortly transmit a message to the Senate.

#### MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read and ordered printed in the Journal:

**Message of Governor Hiram W. Johnson to the Legislature of the State of California, in Extraordinary Session, January 5, 1916.**

EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA.

*To the Senate and Assembly:*

Under the power vested in me by the Constitution I have duly issued a call for an extraordinary session of the Legislature and have convened you for three specific purposes

- 1 To amend the election laws of the State as specifically set forth in subdivisions 1 and 2 of the call.
- 2 To take such action as you may deem appropriate in reference to the San Francisco Normal School, and
- 3 To pass such laws as you deem essential in relation to the San Diego Exposition

#### 1. THE ELECTION LAWS.

I take it that you are familiar with the condition at once contradictory and confusing, of the election laws of the State, and the necessity for remedial legislation. At the last session of the Legislature, in 1915, four laws relating to elections were passed and these four constituted a harmonious and complete system. Against two of these laws the referendum was invoked, and these two measures popularly designated

the non-partisan bills, were, on the 26th day of October last, defeated. The two measures thus submitted to the people by referendum and rejected by the people were the bill relating to primary elections and that prescribing the form of ballot at the final election. The two bills, which were not attacked, and concerning which no referendum was invoked, were the registration bill and the presidential preference primary law. The question presented to the voters at the special election was clean cut and well defined and that question was, whether or not the officials of the State required to be elected by the voters should be chosen in partisan or in non-partisan fashion. All of the persuasive endeavors of both sides of the controversy in the special election were directed solely to this question, and on the one side it was argued that our state officials should be elected without regard to partisanship, and on the other, the desirability of parties choosing candidates for state offices was earnestly advocated. The registration bill, under which the elector is not required to state his party affiliation at the time of registration was accepted by both sides, and acquiesced in by all the people of the State of California. Since August 10, 1915, it has been continuously the law of the State and is today the solemn enactment of both houses of the Legislature and of the executive branch of the government.

The primary law of 1913 continued in force because of the defeat of the law of 1915, at the special election, can not be operative if the registration law adopted and accepted by all the people of the State be enforced; and presented to us, therefore, is the problem, how shall election of state officers be made partisan and the laws that have been duly enacted and are in force today be preserved as well? It is obvious that we can no more rightfully disregard one law than another and that officials are bound to obey all the laws of the State. It is our plain duty, therefore, while recognizing the result of the recent special election and carrying out what those who then voted declared should be the policy of the State—the nomination and election by parties and in partisan fashion of candidates for state offices—to maintain and uphold a plain statute which has neither been questioned nor challenged, and which, up to this time, all of the people of the State of California have accepted and acquiesced in speedily and readily the result may be attained by the amendment of the primary law, and by this amendment, candidates for state offices will be nominated by political parties and will be elected wholly in partisan fashion, and the registration law will be preserved intact. The time of the declaration of party affiliation is simply changed from the time of registration to the time of the primary. This is neither a new nor a novel proceeding. It is the course pursued in the majority of the states having primary laws. Today, in states like Massachusetts, Idaho, Indiana, Michigan, Minnesota, West Virginia, Illinois, Wisconsin, Arizona, Colorado, Kansas, Missouri, Montana, and others, the voter declares his party affiliation at the time of the primary and surely it will not be argued that the election laws of these states are non-partisan. I repeat that by the amendment proposed to the primary law, every official required to be elected in the State will be nominated as the candidate of a political party and will be elected as a candidate of a political party. If this be done, no man acting in good faith can ask more. If the registration law were today amended, the amendment could not take effect until ninety days after the adoption of the amendment. Registration is to commence on the first day of January, and to continue then for use at the presidential preference primary to be held on or about May 2d. It is important, therefore, that a registration law be in effect now and for the period required in order that there may be no more confusion hereafter. If any other reason were needed for upholding what we have solemnly enacted, and what today is the law, it is presented with unanswerable logic by the fact that we would but add to the confusion now existing and leave the election laws still uncertain and inoperative, for more than three months by an attempted amendment of the registration law.

In its larger sense, however, the reason for the amendment of the primary law is that by that amendment we do exactly what the majority who voted at the special election, October 26th, decreed should be done, and we maintain the law duly enacted and unanimously acquiesced in. There was not a single vote in the Senate of the State of California at the 1915 session cast against the registration law, nor was there a single vote cast in that body against the presidential preference primary law, and yet the presidential preference primary law then enacted with this unanimity, distinctly provided for the declaration of party affiliation at the primary itself and at no other time.

It is worse than a confusion of thought to say that the will of the people was expressed upon registration at the recent special election. This is not so. The will of the people upon registration was expressed by the representatives of the people at the legislative session of 1915, and thereafter expressed by all of the people in the failure of any to attack the registration law, or invoke against it the referendum. It is nothing short of misrepresentation to assert that the amendment of the primary law, in the manner suggested, makes the election system of the State non-partisan. The amendment suggested makes the election system of this State *partisan*. It makes a system by which the political parties of the State will nominate candidates for state offices. Those candidates will then have their names printed on the official election ballot with their party designation and will be voted for as partisan candidates. To claim otherwise, is to demonstrate either a poverty of intellect or the wilful design of misrepresentation.

It may be that other means could be devised for partisan nominations and partisan elections and that if time permitted, and no confusion would result, another mode might be presented to cure the existing defects. But whether other courses might be adopted, whether any mode could be suggested that would meet the approval of the most captious, the mode now suggested does do exactly the very thing desired—requires nomination of candidates by political parties and election of candidates as candidates of political parties in partisan fashion.

## 2. SAN FRANCISCO NORMAL SCHOOL

The San Francisco Normal School is occupying practically temporary quarters. The buildings are unsightly and unsafe. All of us who are familiar with the situation have long known that it was a question of but a brief period until an appropriation of some hundreds of thousands of dollars would be required for reconstruction, etc. Out of the beautiful Exposition that has just been concluded in San Francisco came a suggestion for the preservation of the California Building, and its acquisition by the State for the San Francisco Normal School. Sentimentally, the idea was enthusiastically received by all who are familiar with the location; but it was not until the trustees of the normal school, their expert engineer, and those interested in the preservation of the California Building presented the financial economy of the plan, and its advantages from a business standpoint, that I felt at liberty to submit the question to the Legislature for action.

The Panama-Pacific International Exposition, due to prudent, sagacious and very able management will realize a considerable sum for ultimate distribution among those who contributed its funds. Under the law creating the California Commission, thanks to the foresight of those who prepared the measure, it was provided that the State should receive the State's proportionate share of any moneys realized from the Exposition, and, subsequently, in conformity with the law, a contract was made by the State Commission with the Directors of the Exposition of like character. It is represented to me that a sum probably equaling a million dollars will ultimately be realized from the Exposition and the State will be entitled to its proportionate share of this sum.

The proposal in reference to the normal school is not to appropriate any money from the general fund at all and the finances of the State, therefore, will not be strained by consummating the plan. It is desired that the Normal School Trustees shall be given power to condemn the land upon which the California Building stands and land adjacent thereto, to remodel the California Building in accordance with the reports and estimates of the experts, to receive, if necessary, appropriate lands in exchange for funds due to the State from the Exposition, to change the site of the normal school from its present location to the California Building of the Exposition, and to dispose of the present site. The estimates submitted to me by the Normal School Trustees and their engineer for the modification of the California Building and its construction into a most beautiful state institution aggregate \$195,000, and the purchase price of the real estate, it is asserted, ought not to exceed \$100,000. The condemnation proceedings must be commenced at once, and it is necessary therefore that the requisite authority be immediately given. The appropriation asked in the bill submitted is wholly from moneys which shall be returned from the Exposition to the State, and I reiterate that the general finances of the State are not touched at all.

I am not unmindful of the difficulties and obstacles which may preclude us from successfully carrying out the proposed design; but, in order that we may endeavor thus to consummate a plan at once appealing to our sentiment and business judgment, the powers asked must be accorded by the Legislature.

## 3. SAN DIEGO EXPOSITION

Californians may be very proud of the great International Exposition which has just been concluded at San Francisco. It marked an epoch in World's Expositions, and its marvels and its beauty were worthy of our State. The State dealt generously with the Exposition but the Exposition itself has more than justified the State's generosity. During the year 1915 California has had not only its great International Exposition at San Francisco but the remarkably beautiful Exposition at San Diego. I can not too highly commend the energy and the pluck of the city of San Diego in maintaining as it has, an Exposition creditable and beneficial alike to that locality and to the State of California.

The San Diego Exposition will continue during the year 1916. In order that it may continue it asks the passage of the enabling act relating to Balboa Park, and it may be assumed that very readily this will be done.

In addition, a small measure of aid is asked now from the State; and from the same source as our funds for the San Francisco Normal School are obtained. I should very heartily favor an appropriation of this sort for the San Diego Exposition.

The subjects to which I have referred in this message are the only subjects that are before this extraordinary session of the Legislature. Purposefully and designedly have I restricted the call within the narrowest possible limits. I say to you very frankly that I have endeavored by the statement of the matter in relation to the election laws to restrict you to the amendment of the primary law. I have done this after the most careful thought and consultation with those most familiar with the

election machinery of the State and because this amendment immediately dispels a confusion now existing, requires nominations of candidates for State offices by political parties and makes elections partisan in character, while not disturbing other laws in force. If we meet upon a common ground to make nominations and elections in the State partisan and to perform our sworn duty to uphold the laws as they exist, there can be occasion neither for bitter controversy nor long delay. The result, if the design be to make our elections partisan, may be attained in one brief day. Upon important subjects often in one day you have finally acted. Upon this subject if all that is desired is partisanship in our State elections and in our State nominations, we may act with celerity and the means are at hand. I would not, of course, suggest undue haste and would ask careful scrutiny and consideration of your legislation, but once it is clear that the object is attained by the amendment suggested, necessity no longer exists for a continuance of the session.

Dated, Sacramento, January 5, 1916.

HIRAM W. JOHNSON,  
Governor

#### Message referred to the Committee on Rules

#### APPOINTMENTS BY PRESIDENT.

The President of the Senate announced that pursuant to the provisions of section 247 of the Political Code, he had made the following appointments of pages at the per diem of \$2 50, for the extraordinary session of the Senate:

Thomas Lenahan.  
Ralph Greer.

Senator Thompson moved that the appointments by the President be confirmed by the Senate.

The question being on the confirmation of the appointments.

The roll was called, and the appointments confirmed by the following vote:

**AYES**—Senators Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33

**NOES**—None

#### RECESS

At two o'clock and fifty-five minutes p.m. on motion of Senator Thompson, the President declared the Senate at recess until four o'clock p.m.

#### RECONVENED.

At four o'clock p.m. the Senate reconvened  
President pro tem Thompson in the chair.  
Secretary Edwin F. Smith at the desk.

#### MESSAGES FROM THE ASSEMBLY.

The following message was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1916

MR. PRESIDENT I am directed to inform your honorable body that the Assembly on this day is now duly organized and ready to proceed with the business of the State, having elected the following statutory officers:

|                               |                             |
|-------------------------------|-----------------------------|
| Honorable C. C. Young-----    | Speaker                     |
| Honorable Howard J. Fish----- | Speaker pro tem             |
| L. B. Mallory-----            | Chief Clerk                 |
| M. Stern-----                 | First Assistant Chief Clerk |
| Vincent G. Gelech-----        | Minute Clerk                |
| H. B. Miller-----             | Sergeant-at-Arms            |
| Rev. James Whittaker-----     | Chaplain                    |

L. B. MALLORY, Chief Clerk of Assembly  
By M. STERN, First Assistant Clerk

## RESOLUTIONS.

The following resolution was offered:

By Senator Breed:

*Resolved* That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth, as provided by law, the compensation set opposite their names and the Controller is hereby directed to draw his warrants for the said respective amounts, and the Treasurer is directed to pay the same.

|                        |                                |                |
|------------------------|--------------------------------|----------------|
| Miss Lillian Campbell  | Chief Stenographer             | \$6.00 per day |
| Miss F. B. Hatch       | Stenographer                   | 5.00 per day   |
| Miss Agnes Loofbourrow | Stenographer                   | 5.00 per day   |
| Arthur A. Ohnumus      | Stenographer                   | 5.00 per day   |
| Mrs. H. M. Gibbs       | Postmistress                   | 4.00 per day   |
| Mrs. Mary Finney       | Assistant Postmistress         | 4.00 per day   |
| William Vacher         | Assistant Sergeant-at-Arms     | 5.00 per day   |
| J. T. Macdonald        | Assistant Sergeant-at-Arms     | 5.00 per day   |
| Milo R. Robbins        | Engrossing and Enrolling Clerk | 7.00 per day   |
| Miss Carrie Garrison   | Journal Clerk                  | 7.00 per day   |
| Joseph Harney          | Cloakroom Clerk                | 4.00 per day   |
| Gilmore Thompson       | Gatekeeper                     | 3.00 per day   |
| Robert W. Flint        | Committee Clerk                | 4.00 per day   |
| Belman Ullner          | Committee Clerk                | 4.00 per day   |

Resolution read

Senator Breed moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Sheater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32

NOES—None.

## RECESS.

At four o'clock and fifteen minutes p.m., on motion of Senator Strobridge, the President pro tem declared the Senate at recess until seven o'clock and thirty minutes p.m. of this day.

## RECONVENED.

At seven o'clock and thirty minutes p.m., the Senate reconvened  
Lieutenant Governor John M. Eshleman, President of the Senate, in  
the chair

Edwin F. Smith, Secretary of the Senate, at the desk.

## REGULAR ORDER OF BUSINESS.

Senator Thompson moved that the Senate do now proceed with the regular order of business.

Motion carried.

## INTRODUCTION AND FIRST READING OF BILLS

The following bills were introduced:

By Senator Benson: Senate Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the

said direct primary law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof.

Read first time, and referred to Committee on Elections.

By Senator Benson: Senate Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen.

Read first time, and referred to Committee on Elections.

By Senator Wolfe: Senate Bill No. 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county and to transfer title thereto to the State of California.

Read first time, and referred to Committee on Finance.

By Senator Wolfe: Senate Bill No. 4—An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act.

Read first time, and referred to Committee on Finance.

By Senator Wolfe: Senate Bill No. 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition.

Read first time, and referred to Committee on Finance.

By Senator Luce: Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to the year 1916.

Read first time, and referred to Committee on Finance.

By Senator Luce: Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition.

Read first time, and referred to Committee on Finance.

By Senator Ballard: Senate Bill No. 8—An act to amend sections fifteen, sixteen and seventeen of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions, and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees and to repeal the act approved April 7, 1911, known as the direct primary law, and also to repeal the act approved December 24, 1911, amending sections one three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three and twenty-four, of the said direct primary law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions thereof," approved June 16, 1913, all relating to conducting, voting at and the right to vote at primary elections, and to repeal all other acts or parts of acts inconsistent with, or in conflict with the provisions of this act.

Read first time, and referred to Committee on Elections.

#### ADJOURNMENT.

At eight o'clock and five minutes p.m., on motion of Senator Thompson, the President declared the Senate adjourned

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#### IN SENATE.

SENATE CHAMBER, SACRAMENTO, CAL.,  
Thursday, January 6, 1916.

The Senate met at ten o'clock a m  
Lieutenant Governor John M Eshleman, President of the Senate,  
in the chair.

Secretary Edwin F. Smith at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Flaberty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—32.

Quorum present.

#### PRAYER.

Prayer was offered by Rev Father Henry I. Stark, Chaplain of the Senate.

#### LEAVES OF ABSENCE.

Senator Beban was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Wolfe was, on motion of Senator Gerdes, granted leave of absence for this day.

Senator Benedict was, on motion of Senator Thompson, granted leave of absence for this and the previous legislative day.

#### READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 5, 1916, the further reading was dispensed with, on motion of Senator Rush.

## RESOLUTIONS.

The following resolutions were offered:

## ON CONTINGENT EXPENSES

SENATE CHAMBER, SACRAMENTO, January 6, 1916.

MR PRESIDENT Your Committee on Contingent Expenses begs leave to present the following resolution:

*Resolved* That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named Senators and officers of the Senate for the amount set opposite of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law.

| Officers                            | Address             | Mileage | Amount  |
|-------------------------------------|---------------------|---------|---------|
| President, John M Eshleman.....     | Los Angeles .....   | 894     | \$89 40 |
| Minute Clerk, Clifton E Brooks..... | Oakland .....       | 168     | 16 80   |
| Sergeant-at-Arms, Thos A Brown..... | San Francisco ..... | 180     | 18 00   |

| Dist. | Senators                   | Address               | Mileage | Amount  |
|-------|----------------------------|-----------------------|---------|---------|
| 38    | Ballard, John W .....      | Los Angeles .....     | 894     | \$89 40 |
| 27    | Benson, Frank H .....      | San Jose .....        | 256     | 25 60   |
| 3     | Birdsall, E S .....        | East Auburn .....     | 74      | 7 40    |
| 15    | Breed, A. H. ....          | Oakland .....         | 168     | 16 80   |
| 37    | Brown, William E.....      | Los Angeles .....     | 894     | 89 40   |
| 31    | Butler, Edwin M .....      | Los Angeles .....     | 894     | 89 40   |
| 17    | Campbell, A E .....        | San Luis Obispo ..... | 688     | 68 00   |
| 36    | Carr, William J.....       | Pasadena .....        | 914     | 91 40   |
| 26    | Chandler, W F .....        | Fresno .....          | 338     | 33 50   |
| 33    | Cogswell, Prescott F. .... | El Monte .....        | 924     | 92 40   |
| 7     | Cohn, P. O .....           | Folsom City .....     | 44      | 4 40    |
| 22    | Crowley, John Jos.....     | San Francisco .....   | 180     | 18 00   |
| 6     | Duncan, W. E., Jr .....    | Oroville .....        | 172     | 17 20   |
| 24    | Flaherty, Lawrence J.....  | San Francisco .....   | 180     | 18 00   |
| 11    | Flint, William R .....     | Hollister .....       | 346     | 34 60   |
| 21    | Gerdes, Fred C. ....       | San Francisco .....   | 180     | 18 00   |
| 14    | Hans, George J. ....       | Oakland .....         | 168     | 16 80   |
| 32    | Irwin, J L C .....         | Hanford .....         | 428     | 42 80   |
| 28    | Jones, Herbert C .....     | San Jose .....        | 56      | 25 60   |
| 1     | Kehoe, William .....       | Eureka .....          | 624     | 62 40   |
| 30    | King, Lyman M .....        | Redlands .....        | 1030    | 108 60  |
| 40    | Luce, Edgar A. ....        | San Diego .....       | 1146    | 114 60  |
| 29    | Lyon, Henry H .....        | Los Angeles .....     | 894     | 89 40   |
| 12    | Maddux, J. L. ....         | Modesto .....         | 154     | 15 40   |
| 25    | Mott, D W .....            | Santa Paula .....     | 948     | 94 80   |
| 9     | Owens, James C. ....       | Richmond .....        | 156     | 15 60   |
| 4     | Purkitt, Claude F. ....    | Willows .....         | 175     | 17 50   |
| 5     | Rush, Benjamin F .....     | Suisun .....          | 82      | 8 20    |
| 29    | Scott, William S. ....     | San Francisco .....   | 180     | 18 00   |
| 2     | Shearer, Wm. B .....       | Yreka .....           | 590     | 59 00   |
| 8     | Slater, Herbert W .....    | Santa Rosa .....      | 180     | 18 00   |
| 13    | Strobridge, Ed K .....     | Hayward .....         | 196     | 19 60   |
| 10    | Stuckenbruck, J W .....    | Acapo .....           | 78      | 7 80    |
| 35    | Thompson, Newton W .....   | Alhambra .....        | 910     | 91 00   |
| 16    | Tyrrell, Edw J. ....       | Oakland .....         | 168     | 16 80   |
| 19    | Wolfe, Edward I .....      | San Francisco .....   | 180     | 18 00   |

And respectfully recommend that it be adopted.

LYON, Chairman.

Resolution read.

Senator Lyon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

**NOES**—None.

Also.

By Senator Flint:

*Resolved*, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to receipt to the Controller for the warrants of the Senators, officers and employees and attaches of the Senate, and mail all that can not be delivered in person at the end of session, to the owners thereof

Resolution read, and on motion adopted

#### INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Thompson: Senate Concurrent Resolution No. 1—Relative to adoption of Joint Rules.

#### CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Thompson asked for and was granted unanimous consent for the consideration of Senate Concurrent Resolution No. 1 at this time without reference to committee

##### SENATE CONCURRENT RESOLUTION NUMBER ONE.

###### Relative to Adoption of Joint Rules

*Resolved* by the Senate, the Assembly concurring, that the joint rules of the Assembly and Senate of the legislature of the State of California adopted at the forty-first regular session be and they are hereby adopted as the joint rules of the Assembly and Senate of said legislature for this extraordinary session.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Senate Concurrent Resolution No. 1 adopted by the following vote:

**AYES**—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

**NOES**—None

Resolution ordered transmitted to the Assembly.

#### INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED).

The following bills, etc., were introduced:

By Senator King: Senate Bill No. 9—An act to amend section ten hundred ninety-six of the Political Code, relating to elections and the registration of voters.

Bill read first time, and referred to Committee on Elections.

By Senator Owens: Senate Concurrent Resolution No. 2—Relative to the celebration by the people of Marin County, of the landing of Drake's armada on the shores of California.

Resolution referred to Committee on Federal Relations

#### RECESS.

At ten o'clock and twenty minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock and thirty minutes p.m.

## RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Edwin F. Smith, Secretary of the Senate, at the desk.

## RESOLUTION.

The following resolution was offered:

By the Committee on Contingent Expenses:

*Resolved*, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of twenty-five dollars (\$25) for postage and expressage, the same to be payable out of the Contingent Fund of the Senate and the Treasurer is hereby directed to pay the same.

Resolution read.

Senator Lyon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Bleed, Brown, Butler, Carr, Chandler, Cogswell, Cobu, Crowley, Duncan, Flaherty, Hans, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Slater, Strobridge, Stuckenbruck, and Thompson—26.  
NOES—None

## RECESS.

At two o'clock and thirty-five minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until seven o'clock and thirty minutes p.m.

## RECONVENED.

At seven o'clock and thirty minutes p.m. the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

## REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

## ON ELECTIONS

SENATE CHAMBER, SACRAMENTO, January 6, 1916.

MR PRESIDENT. Your Committee on Elections, to which was referred Senate Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof—has had the same under consideration, and respectfully recommends that it do pass

BENSON, Chairman.

Senate Bill No. 1 ordered on file for second reading.

Also:

SACRAMENTO, January 6, 1916

MR PRESIDENT Your Committee on Elections, to which was referred Senate Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a Presidential Primary Election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen—has had the same under consideration, and respectfully recommends that it do pass.

BENSON, Chairman.

Senate Bill No. 2 ordered on file for second reading.

RECESS.

At eight o'clock and five minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until eight o'clock and thirty minutes p.m. of this day

RECONVENED.

At eight o'clock and thirty minutes p.m., the Senate reconvened.

Hon Newton W. Thompson, President pro tem of the Senate, in the chair

Assistant Secretary J. W. Kavanagh at the desk.

ADJOURNMENT.

At eight o'clock and thirty-five minutes p.m., on motion of Senator Strobridge, the President pro tem declared the Senate adjourned.

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IN SENATE.

SENATE CHAMBER, SACRAMENTO, CAL.,

Friday, January 7, 1916.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Geides, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddox, Mott, Owens, Purkitir, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

Quorum present.

PRAYER.

Prayer was offered by Rev Father Henry I Stark, Chaplain of the Senate

## READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 6, 1916, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Beban was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Benedict was, on motion of Senator Thompson, granted leave of absence for this legislative day.

## REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

## ON FINANCE.

**SENATE CHAMBER, SACRAMENTO, January 7, 1916.**

**MR. PRESIDENT:** Your Committee on Finance, to which was referred Senate Bill No 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county and to transfer title thereto to the State of California;

Also: Senate Bill No 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition;

Also Senate Bill No 6—An act to amend section one of an act entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to the year 1916;

Also Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended

STROBRIDGE, Chairman.

Senate Bills Nos 3, 5, 6, and 7 ordered on file for second reading.

**SACRAMENTO, January 7, 1916.**

**MR. PRESIDENT:** Your Committee on Finance, to which was referred Senate Bill No 4—An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act—has had the same under consideration, and respectfully recommends that it do pass.

STROBRIDGE, Chairman

Senate Bill No 4 ordered on file for second reading.

## SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senator Wolfe asked for, and was granted, unanimous consent for the second reading at this time, under suspension of the rules, of bills previously reported from committee on this legislative day.

Senate Bill No. 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county, and to transfer title thereto to the State of California.

## COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

Amend the title by inserting in line 4 thereof, after the word "county", the words "of San Francisco".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition.

## COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE

Strike out lines 16 and 17, page 1 of the printed bill, and insert in lieu thereof the following "the general fund".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to the year 1916.

## COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE

Amend the title by inserting in line 7 thereof, after the word "to" the word "include".

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition.

## COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

Amend Senate Bill No. 7 by adding a new section to be numbered section 2 and to read as follows:

Sec. 2. This act is exempt from the provisions of section 672 of the Political Code of the State of California and from the provisions of an act entitled "An act to regulate contracts on behalf of the state in relation to the erection, construction,

alteration, repair or improvement of any state structure, building, road or other improvement of any kind and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876, approved March 22, 1909."

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 4—An act to authorize and empower the Board of Trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school: to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act.

Bill read second time, ordered engrossed, and on file for third reading.

#### RUSH ORDER TO PRINTER.

On motion of Senator Wolfe, the Secretary was directed to issue a rush order for the printing of Senate Bills Nos. 3, 4, 5, 6, and 7.

#### REPORT OF STANDING COMMITTEE—(RESUMED)

The following report of standing committee was received and read:

##### ON FEDERAL RELATIONS.

SENATE CHAMBER SACRAMENTO, January 6, 1916

MR. PRESIDENT Your Committee on Federal Relations, to which was referred Senate Concurrent Resolution No. 2—Relative to the celebration by the people of Marin County, of the landing of Drake's armada on the shores of California—has had the same under consideration, and respectfully recommends that it be adopted

RUSH, Chairman.

Senate Concurrent Resolution No 2 ordered on file.

#### INTRODUCTION AND FIRST READING OF BILLS, ETC

The following bills, etc., were introduced:

By Senator Scott: Senate Concurrent Resolution No. 3—Relative to the commission for relief in Belgium.

Resolution referred to Committee on Federal Relations.

#### RECESS

At ten o'clock and thirty-five minutes a.m. on motion of Senator Thompson, the President declared the Senate at recess until ten o'clock and forty-five minutes a.m.

#### RECONVENED.

At ten o'clock and forty-five minutes a.m. the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

## SECOND READING OF SENATE BILLS

Senate Bill No. 1—An act to amend an act entitled “An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act”; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 2—An act to amend sections three, six, and nine of an act entitled “An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act.” approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen

Bill read second time ordered engrossed, and on file for third reading.

## CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Scott asked for, and was granted, unanimous consent for the withdrawal from the Committee on Federal Relations and the consideration at this time of Senate Concurrent Resolution No. 3

## SENATE CONCURRENT RESOLUTION NUMBER THREE

## Relative to the commission for relief in Belgium

WHEREAS, The commission for relief in Belgium has been and now is engaged in furnishing clothing and food to the destitute inhabitants of Belgium by and with the approval and consent of the civil and military authorities of England and Germany, and

WHEREAS, The great humanitarian work of that commission is strictly neutral, and, at the request of President Woodrow Wilson, many prominent men of the United States have accepted membership on the committee to raise funds in the United States, now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly concurring,* That the humanitarian efforts of the commission for relief in Belgium in sending succor and relief for the destitute people of Belgium be and the same are hereby endorsed by the Legislature of the State of California

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Senate Concurrent Resolution No 3 adopted by the following vote:

**AYES**—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell and Wolfe—32.

**NOES**—Senator Ballard—1.

Resolution ordered transmitted to the Assembly.

**CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).**

Senator Owens asked for and was granted unanimous consent for the consideration at this time of Senate Concurrent Resolution No. 2.

**SENATE CONCURRENT RESOLUTION NUMBER TWO**

Relative to the celebration by the people of Marin County of the landing of Drake's armada on the shores of California

WHEREAS The people of Marin County on May nineteenth, twentieth, and twenty-first of this year (which dates are provisional) will celebrate the landing of Drake's armada upon the shores of California and

WHEREAS The resources of the region and of the State of California will be brought to the attention of the world by a series of flower games and by pageantry, displaying their customs, habits and activities of the people who are working out their destinies within the confines of California and

WHEREAS The history of the State of California will be depicted by a series of tableaux enacted by the descendants of those who made the State and who are its foremost citizens, and

WHEREAS This celebration will be international in its scope and participation; and

WHEREAS The celebration will be a memorable episode in the educational, cultural and economic history of the State of California; therefore, be it

*Resolved by the Senate, the Assembly concurring,* That the Legislature of the State of California hereby endorse this celebration by the people of Marin County and hereby recommend it to the good will of the citizens of the State of California; and be it further

*Resolved,* That the Governor of the State of California be and is hereby authorized to proclaim this celebration to the citizens of the State of California, and be it further

*Resolved,* That the Governor of the State of California be and is hereby authorized to proclaim the celebration to the governments of the other states in the Union and invite their participation, and be it further

*Resolved,* That the officials and officers of the various departments of the government of the State of California be and hereby are authorized and directed to give such aid, assistance and help to the people of Marin County in planning and organizing their celebration as may come within the scope of their respective departments, and be it further

*Resolved,* That the celebration by the people of Marin County known as the "Marin Flower Pageant" be and hereby is authorized by the Legislature and the Governor of the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Senate Concurrent Resolution No 2 adopted by the following vote:

**AYES**—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**RECESS.**

At eleven o'clock and thirty-five minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until three o'clock p.m.

## RECONVENED.

At three o'clock p.m. the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk

## RESOLUTION.

The following resolution was offered:

## COMMITTEE ON CONTINGENT EXPENSES

*Resolved* That the Controller is hereby authorized and directed to draw his warrant upon the fund for payment of officers and employees of the Senate in favor of the following named persons for the sums set opposite their respective names and the Treasurer is directed to pay the same, said amount being in payment for one day's services prior and incident to the convening of the present extraordinary session of the Senate.

|                                       |        |
|---------------------------------------|--------|
| Thos. A. Brown, Sergeant-at-Arms----- | \$8 00 |
| J. B. Newsom, Bookkeeper-----         | 5 00   |

LYON, Chairman

Resolution read

Senator Lyon moved that the resolution be adopted

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Keloe, King, Luce, Lyon, Maddux, Mott, Owens, Purnett, Rush, Scott, Sheare, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—31

NOES—None

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

## ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1916.

MR PRESIDENT. I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 3—Relative to the commission for relief in Belgium

L. B. MALLORY, Chief Clerk of Assembly.  
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 3 ordered to enrollment.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1916.

MR PRESIDENT. I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 1—Relative to a petition to the Secretary of the Navy to assign the name "California" to battleship No. 44, to be constructed at Mare Island Navy Yard.

L. B. MALLORY, Chief Clerk of Assembly.  
By M. STERN, Assistant Clerk

## CONSIDERATION OF ASSEMBLY JOINT RESOLUTION—(OUT OF ORDER).

Senator Tyrrell asked for and was granted unanimous consent for the consideration at this time of Assembly Joint Resolution No. 1, without reference to committee.

## ASSEMBLY JOINT RESOLUTION NUMBER ONE

WHEREAS, The Honorable Secretary of the Navy has, in recognition of the industry, zeal, efficiency and skill of the officials and mechanics of the Mare Island Navy Yard, comprising in the several ranks citizens of all sections of California, and of the splendid record made by such citizens in saving large sums of money for the federal government in the construction of vessels for the United States Navy, thus showing the highest degree of civic patriotism, by assigning to that navy yard the construction

of battleship No. 44, which is designed to be the equal of any war vessel afloat and which will, when completed, carry the American flag with honor to every section of the world and in so doing serve as an exemplar of the skill and fidelity of the workmen who will have contributed to her construction, be it

*Resolved by the Assembly and the Senate, jointly.* That the Honorable Secretary of the Navy be respectfully petitioned to change the name of battleship No. 44, now building at the New York Naval Station and designated as the "California," to some other appropriate name, that the name "California" may be assigned to battleship No. 44 which is to be constructed in this State, by the workmen of this State, and will ever prove a source of inspiration to the patriotism and pride of the people of California, by giving them a more direct interest in our navy, which constitutes the first line of the nation's defense, be it further

*Resolved,* That the thanks of the people of California be extended to the Honorable Secretary of the Navy for the action showing his confidence in the capability of California workmen.

The Chief Clerk is directed to transmit copies of this joint resolution to the Honorable Secretary of the Navy.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 1 adopted by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, Tyrell, and Wolfe—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, January 7, 1916.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 8—An act to amend sections fifteen, sixteen and seventeen of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions, and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three and twenty-four, of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions thereof," approved June 16, 1913, all relating to conducting, voting at and the right to vote at primary elections, and to repeal all other acts or parts of acts inconsistent with, or in conflict with the provisions of this act.

Also: Senate Bill No. 9—An act to amend section ten hundred ninety-six of the Political Code, relating to elections and the registration of voters; Has had the same under consideration, and respectfully reports the same back, with the statement that each of said bills and the subject matter contained therein are beyond the scope of the call of the Governor convening this extra session, and recommends that no further action be taken on either of said bills.

BENSON, Chairman

#### DECISION ON POINT OF ORDER.

The President announced his decision and declared that the point of order raised by the Committee on Elections was well taken and that Senate Bills Nos. 8 and 9 could not properly be considered by the Senate at this extraordinary session.

## REPORTS OF STANDING COMMITTEES.—(RESUMED).

The following reports of standing committee were received and read:

## ON ENGRAVEMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 7, 1916.

MR. PRESIDENT. Your Committee on Engrossment and Enrollment has examined Senate Bill No 4—An act to authorize and empower the Board of Trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment, to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act:

Also Senate Bill No 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof;

Also Senate Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen;

Also Senate Concurrent Resolution No. 2—Relative to the celebration by the people of Marin County of the landing of Drake's armada on the shores of California.

Also Senate Bill No 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county of San Francisco, and to transfer title thereto to the State of California;

Also Senate Bill No. 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition;

Also Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to include the year 1916;

Also Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition;

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

## CASES OF URGENCY.

The following resolution was offered by Senator Wolfe:

*Resolved*, That Senate Bills Nos. 3, 4, 5, 6 and 7 present cases of urgency, as that term is used in section 15 of article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the third time, and placed upon their passage.

Resolution read.

The question being on the adoption of the resolution

The roll was called, and section fifteen of article IV of the constitution suspended and the resolution adopted by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—31

NOES—None

Senate Bill No. 4—An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purpose of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 4 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Hans, Jones, Luce, Lyon, Mott, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell and Wolfe—25

NOES—Senators Ballard, Duncan, King, Maddux, Purkitt, and Shearer—6

Title read and approved

Bill ordered transmitted to the Assembly

#### EXPLANATION OF VOTE.

Senator Duncan asked for and was granted, unanimous consent to have the following explanation of his vote on Senate Bills Nos. 4 and 5 printed in the Journal:

I vote "No" upon Senate Bills Nos. 4 and 5 (the San Francisco Normal School building bills) for the following reasons:

1 The location of the school in a frame building is not in accordance with the generally accepted ideas of modern schools, nor is the same consistent with the safety of the pupils

2 The location of the school in very close proximity to the Presidio military reservation, where many thousands of troops both white and colored are quartered, rather than in some other available location many of which can, I believe, be had, is inadvisable.

3 Five millions of dollars were paid by taxpayers of the several counties of the State toward financing the exposition. Profit of upwards of a half million dollars is apparently due the State which should, through appropriate legislation, be returned to the general funds of the respective counties, thus diminishing the amount of the next tax rate and returning to the taxpayers who originally contributed the same, the proportion of the profit to which they are legitimately entitled, and giving to each taxpayer in proportion to his former contribution through taxes, a practical rebate upon subsequent tax payments.

4. All provision for the erection and maintenance of normal schools, as well as other expenses of the state government are now paid, not by an *ad valorem* tax on the property of the several counties, as was the case with the five millions of dollars raised for the exposition, but rather by tax upon franchises, corporations, etc., and to take the funds which were paid by taxpayers of the whole State, and devote them to purposes peculiarly affecting and beneficial to a single locality, which has already largely benefited by the bounty of the State, is an injustice to the vast body of people who contributed through the medium of *ad valorem* taxation, to the success of the exposition. If the State shall consider that it is necessary to take further steps for the benefit of the San Francisco Normal School, such steps will no doubt be taken at the proper time and the funds therefor provided in the manner customary and now prevailing in such cases.

## CASES OF URGENCY—(RESUMED).

Senate Bill No 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county, and to transfer title thereto to the State of California

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 3 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Hans, Jones, King, Luce, Lyon, Mott, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell and Wolfe—26

NOES—Senators Ballard, Duncan, Maddux, Purkitt, and Shearer—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 5 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Hans, Jones, Luce, Lyon, Mott, Rush, Scott, Strobridge, Tyrrell and Wolfe—23.

NOES—Senators Ballard, Duncan, King, Maddux, Purkitt, Shearer and Slater—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No 6—An act to amend section one of an act entitled “An act giving and granting to the board of park commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes,” approved March 24, 1911, extending the terms of said section to the year 1916.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 6 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Tyrrell and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 7 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—30

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## RECESS.

At four o'clock p.m., on motion of Senator Thompson, the President declared the Senate at recess until seven o'clock and thirty minutes p.m. of this day.

## RECONVENED.

At seven o'clock and thirty minutes p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk,

## SENATOR WOLFE IN THE CHAIR.

At seven o'clock and thirty-one minutes p.m. Senator Wolfe of the Nineteenth District was called to the chair.

## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1916.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 1—Relative to adoption of joint rules;

Also Senate Concurrent Resolution No. 2—Relative to the celebration by the people of Marin County, of the landing of Drake's armada on the shores of California.

L. B. MALLORY, Chief Clerk of the Assembly.  
By M. STERN, Assistant Clerk.

Senate Concurrent Resolutions Nos. 1 and 2 ordered to enrollment

## PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At seven o'clock and thirty-two minutes p.m. Honorable Newton W. Thompson, President pro tem. of the Senate, in the chair.

## REMARKS BY SENATOR WOLFE UPON THE OCCASION OF HIS RETIREMENT FROM THE SENATE.

Senator Wolfe addressed the Senate and spoke as follows:

*Mr. President and Gentlemen of the Senate:*

I am deeply grateful for the opportunity of saying a word or two informally to my colleagues before I sever my official connection with this part of the legislative department of the State of California.

At 11:30 tonight my resignation as Senator from the Nineteenth Senatorial District of San Francisco will take effect, and tomorrow I will assume other duties and other responsibilities. I can not, however, leave the Senate of the State of California without saying something of my stay in this Senate.

I came to the Senate of the State for the first time in 1897, and served continuously from San Francisco for sixteen years; then I was temporarily retired from this body, but at the next session I was returned so that in all, I have seen eighteen years active service as a member of the State Senate of California. I have been in attendance at nine regular sessions of the legislature and eight extraordinary sessions.

I have seen many changes in this body, and in its policy, during that time. I can look around these desks and these seats, and can conjure up to my mind colleagues who have answered the last roll call and gone to the Great Beyond. I can conjure up other faces—faces of men that have sat upon the floor of this Senate with me—and republics are not ungrateful after all, for some of these men have been elevated to higher offices and have filled positions of greater responsibility. Some have been governors of this State, others have gone to the United States Senate, and others have gone to the lower house of Congress, where they have served the people of the State of California as faithfully as they served them on this floor.

I have seen many changes in policy; have seen many hard-fought battles upon the floor of this Senate, in which I played my humble part—and we fought as though the life of the State and the Nation were at stake upon the principles under discussion, and that were involved.

But I am happy to say that after all I will carry away with me, when the gavel shall fall for the adjournment of this session of the Senate, nothing but the kindest and pleasantest recollections of my associations with the members of this body.

I have been floor leader. I have been with the majority in my time, and I have known what it is to be with the minority. For six years in the position which you now grace, Senator Thompson, as President pro tem. of this Senate, I have been. And the greatest pleasure—the greatest happiness in the rest of my life will be the thought that no matter how we have differed, no matter how hard we have fought, I do not know of a single member that has sat with me upon the floor of the Senate of this State that I can not tonight call my friend. I am as proud of that as a man could be of anything that comes to him in life.

The honors that have been showered upon me by the good people of the State in sending me here, and the honors I have won in this body are sufficient compensation for the sacrifice I have made in the service of this State—and no man can serve the Senate or the Assembly of the State of California without making a personal sacrifice—but it is worth it.

Ave, it's worth it, after all, because you know that you have played your part in the affairs of the State.

I have seen many changes and at times I thought that these changes were not the best for the people of this State, and for a long time I thought that, but I have changed my mind as to many of these things and am satisfied that after all we have gone onward and upward in the State of California and that we are a shining example that other states might well follow.

I never thought I would be here at this session, Mr. President. I had intended to resign, but when I found that the Normal School had a chance to get something from the State of California—to which it is justly entitled, and to which San Francisco is justly entitled—I determined to come back and do my share to help improve conditions of that institution which I was enabled in part to place in official life in this State, and, if possible, to place it where it ought to be as to equipment, location and building, in our educational department of the State.

I had hoped that when I was here, Mr. President, I might have been able to cast my vote on the other questions that are before the Senate. I had hoped that these election bills might come before us, so I might vote upon them, and that you and the people of the State might know my views on these questions.

I want you to know that had the roll been called today on the bills that are the results of the Governor's proclamation for an extra session, I would have voted for these bills. I would have taken no part in opposition thereto, and I would have indulged in no pertifogging, none of the methods of delay that seem to be in vogue in some departments of our legislative government.

I am a Republican. I have been a Republican all my life. I led a procession of thirteen men from this chamber in 1912, and walked out of the Republican convention, and helped to nominate the ticket of electors of the Republican party, because I was a Republican. I am a Republican today; and because I am a Republican I would have been delighted to vote for these bills that you are going to consider and decide on, perhaps, tomorrow.

There has been a tempest in a teapot about these things. I voted in 1915 against nonpartisanship in state politics. I would vote against it today. I would have preferred that we could have returned to the registration and declaration of party. But under this call it is not possible. But I say that it is possible for the integrity of political parties to be preserved in the State of California under the system which this legislature is fostering and fathering.

Therefore, why this tempest in a teapot? Why this excitement and why these attacks?

Why, Mr. President, I have noticed since this difference has arisen that amongst the opposition to the present administration there are men who have eaten out of their hands—who have broken bread with them—who have sat in their council chambers and been part of their organization—I have seen them bite the hand that fed them. I have seen them take a pertifogging position which ill becomes a gentleman and a statesman.

I have no reference to any gentleman within sound of my voice, nor do I attach motives of that kind to any member of the legislature. I concede to the gentlemen of this house, and the other house, just the same honesty of purpose that I would ask to be conceded to myself.

Under these bills it is possible to preserve the integrity of political purposes, and there has been no reason why I should not take that stand about the questions that have been presented to me and put concretely before me.

I will tell you what it is—for in my judgment, for the prosperity and welfare of this Nation it would be better if we could return the reins of government into the hands of the Republican party, as I view it, for this country needs a protec-

tive tariff, not a tariff that will build up trusts and put large and immense wealth in the hands of a few, but a tariff that will protect our laboring people and help build up the industries of the land. I want to see harmony in the Republican party. I want to see the members of the Progressive party do in California what they are doing in the eastern states: come back in the Grand Old Republican party, play their part there and help to make history which shall stand for the betterment of the people of the Nation. And I do not want to make it difficult for them to return; do not want to humiliate them. I want to make it possible for them to return to the Republican party, respecting their standing for principle; and therefore, I say, it ill becomes us as Republicans, to widen the breach.

Mr President, I have received many courtesies from your hands and received courtesies at the hands of the Governor of this State and while he and I may have differed in the past upon questions of policy I want you to know that I hold Governor Johnson in the highest esteem and respect and I make the public declaration that I think both he and you, and those with you, have done many things for the welfare of the people of the State of California. And if on the 1st of November next Hiram Johnson should be the choice for Vice President of the United States, he will have my vote and my support.

Now, some one said to me tonight, "Eddie, you will sing a 'Swan song' tonight; I have heard you sing four or five 'swan songs' in my time on the floor of the Senate." I replied, "Yes, I may have, and I'm not much of a singer at that, but this is the last, Simon pure 'swan song' I shall ever sing on the floor of this Senate." And I want you to believe me when I say that as long as I live, I will carry with me the pleasantest recollections of my association with you gentlemen and those that have preceded you. And I want my family—my daughter—when I shall have passed away, to know that at least I played an humble part in the affairs of this State, always standing for what I thought was right—fighting with all the energy I possess. And yet, not always right, because we are human and must err—and I want them to have that in their minds, that in this forum, and on this floor, I have won the respect and friendship of men that I have respected and esteemed as I have respected and esteemed life itself.

Gentlemen, I say goodbye to you, the members of the Senate of this State, and I hope I may meet you many, many times again.

#### LIEUTENANT GOVERNOR IN THE CHAIR.

At seven o'clock and fifty minutes p.m., Lieutenant Governor John M. Eshleman, President of the Senate in the chair.

#### REMARKS BY OTHER MEMBERS OF THE SENATE.

Remarks upon the retirement of Senator Wolfe and tributes to his extended service in the Senate of the State of California were made by Senators Slater and Ballard, President pro tem. Thompson and President Eshleman.

#### ADJOURNMENT.

At eight o'clock and fifty minutes p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate adjourned until Saturday, January 8th, 1916, at eleven o'clock a.m.

## IN SENATE.

SENATE CHAMBER, SACRAMENTO, CAL.,  
Saturday, January 8, 1916.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.  
Lieutenant Governor John M. Eshleman, President of the Senate,  
in the chair.

Secretary Edwin F. Smith at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Butler, Carr, Chandler, Cogswell,  
Cohn, Crowley, Duncan, Flaberty, Flint, Gerdes, Irwin, Jones, Kehoe King, Luce,  
Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stucken-  
bruck, Thompson, and Tyrrell—31.

Quorum present.

## PRAYER.

Prayer was offered by Rev. Father Henry I. Stark, Chaplain of the  
Senate.

## READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 7, 1916, the  
further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Beban was, on motion of Senator Crowley, granted leave of  
absence for this day.

Senator Campbell was, on motion of Senator Maddux, granted leave of  
absence for this day.

Senator Benedict was, on motion of Senator Thompson, granted leave  
of absence for this legislative day.

## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1916

MR PRESIDENT: I am directed to inform your honorable body that the Assembly  
on this day adopted Assembly Joint Resolution No 2—Relating to federal aid for  
indigent persons afflicted with tuberculosis in state or other institutions when such  
persons are non-residents of the state in which such institutions are located

I. B. MALLORY, Chief Clerk of Assembly  
By M. STERN, Assistant Chief Clerk.

Assembly Joint Resolution No. 2 referred to Committee on Federal  
Relations.

## RECESS.

At eleven o'clock and forty minutes a.m., on motion of Senator  
Thompson, the President declared the Senate at recess until two  
o'clock p.m.

## RECONVENED.

At two o'clock p.m. the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in  
the chair.

Assistant Secretary J. W. Kavanagh at the desk.

## REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

## ON FEDERAL RELATIONS

SENATE CHAMBER, SACRAMENTO, January 8, 1916

MR. PRESIDENT. Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 2—Relating to federal aid for indigent persons afflicted with tuberculosis in state or other institutions, when such persons are non-residents of the state in which such institutions are located—has had the same under consideration, and respectfully recommends that it is adopted.

RUSH, Chairman

Assembly Joint Resolution No. 2 ordered on file

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1916

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 2—Relative to inviting justices of the Supreme Court and of the District Courts of Appeal, judges of the Superior Courts, California Bar Association and the various county bar associations to submit to the Legislature suggestions as to changes that may be necessary to prevent delays incident to litigation in this State.

L. R. MALLORY, Chief Clerk of Assembly.  
By M. STERN, Assistant Chief Clerk

## CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Luce asked for and was granted unanimous consent for the consideration at this time of Assembly Concurrent Resolution No. 2, without reference to committee.

## ASSEMBLY CONCURRENT RESOLUTION NUMBER TWO.

Relative to inviting justices of the Supreme Court and of the District Courts of Appeal, judges of the Superior Courts, California Bar Association and the various county bar associations to submit to the Legislature suggestions as to changes that may be necessary to prevent delays incident to litigation in this State.

WHEREAS, The practice of appealing to the District Courts of Appeal and to the Supreme Court of the State of California has increased so rapidly that an action appealed from the Superior Courts is not ordinarily determined for a period of at least two years after such appeal is taken from the Superior Court; and

WHEREAS, A litigant whom a judgment has been obtained in the Superior Court, by taking an appeal to a higher court, without regard to the merits of the case, may unnecessarily and unreasonably delay, and in many instances actually defeat, the ends of justice; and

WHEREAS, Such delay and uncertainty as to the rights of litigants and prospective litigants is destructive both of individual rights and of that respect and obedience to the law which is the desideratum of good government; therefore be it

*Resolved by the Assembly, the Senate concurring.* That the justices of the Supreme Court, the justices of the District Courts of Appeal, and the judges of the Superior Courts of the State of California, the California Bar Association, and the bar associations of the various counties be, and they hereby are, invited and requested to submit to the Legislature at its forty-second session such recommendations as they may consider necessary in order to avoid as far as possible the dilatory practices and delays hereinbefore set forth; and be it further

*Resolved,* That the Chief Clerk of the Assembly be, and he is hereby, directed to send a copy of this resolution to each of the justices and judges of the various courts hereinbefore referred to, to the Secretary of the California Bar Association and to the secretary of every county bar association in this State.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Senate Concurrent Resolution No. 1 adopted by the following vote:

AYES—Senators Benson, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—23.

NOES—None.

Assembly Concurrent Resolution No. 1 ordered transmitted to the Assembly.

#### APPROVAL OF JOURNAL.

On motion of Senator Thompson the Journals of Wednesday, January 5, 1916, Thursday, January 6, 1916, and Friday, January 7, 1916, were approved as corrected.

#### RECESS.

At two o'clock and thirty-five minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until three o'clock p.m. of this day.

#### RECONVENED.

At three o'clock p.m., the Senate reconvened.

Lieutenant Governor, John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

#### CONSIDERATION OF JOINT RESOLUTION—(OUT OF ORDER).

Senator Jones asked for and was granted unanimous consent for the consideration at this time of Assembly Joint Resolution No. 2.

#### ASSEMBLY JOINT RESOLUTION NUMBER TWO

Relating to federal aid for indigent persons afflicted with tuberculosis in state or other institutions, when such persons are non-residents of the state in which such institutions are located

WHEREAS, The State of California has made such provision as its resources allow for the proper care in public institutions of patients afflicted with tuberculosis of the lungs; and

WHEREAS, Many thousands of patients afflicted with tuberculosis come to this State from other states, many of whom become a charge on state and municipal funds; and

WHEREAS, There has been introduced in Congress a bill providing federal aid for indigent non-resident tuberculosis patients cared for in hospitals which conform to the hygienic standard established by the United States treasury department, now therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That we consider the proposed measure to be of the greatest importance to this State and to the whole nation and express the hope that it may become law at the present session of Congress, and be it further

*Resolved*, That our Senators and Representatives in Congress be and they are hereby requested to use all honorable means to expedite and secure the passage of said bill, be it further

*Resolved*, That the Chief Clerk of the Assembly be and he is hereby directed to transmit a certified copy of these resolutions to the President and Speaker respectively of the Senate and House of Representatives and to each of our Senators and Representatives in Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Assembly Joint Resolution No. 1 adopted by the following vote:

AYES—Senators Benson, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Rush, Scott, Shearer, Strobridge, Thompson, and Tyrrell—24.

NOES—None.

Assembly Joint Resolution No. 1 ordered transmitted to the Assembly.

RECESS.

At three o'clock and five minutes p.m., on motion of Senator Strobridge, the President declared the Senate at recess until seven o'clock and thirty minutes p.m.

RECONVENED.

At seven o'clock and thirty minutes p.m. the Senate reconvened

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

MESSAGES FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read.

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1916.

MR. PRESIDENT I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof;

Also, Assembly Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen.

L. B. MALLORY, Chief Clerk of Assembly.  
By M. STERN, Assistant Chief Clerk.

Assembly Bills Nos. 1 and 2 read first time, and referred to Committee on Elections.

ADJOURNMENT.

At eight o'clock and ten minutes p.m., on motion of Senator Slater, the President pro tem. declared the Senate adjourned until Sunday, January 9, 1916, at eleven o'clock a.m.

## IN SENATE.

SENATE CHAMBERS, SACRAMENTO, CAL.,  
Sunday, January 9, 1916.

Pursuant to adjournment the Senate met at eleven o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

The roll was called and the following answered to their names:

Senators Ballard, Benson, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Rush, Scott, Slater, Stuckenbruck, Thompson and Tyrrell—26.

Quorum present.

## PRAYER.

Prayer was offered by Rev. Father Henry I. Stark, Chaplain of the Senate.

## READING OF THE JOURNAL.

During the reading of the Journal of Saturday, January 8, 1916, the further reading was dispensed with on motion of Senator Rush.

## LEAVES OF ABSENCE

Senator Beban was, on motion of Senator Crowley, granted leave of absence for this day.

Senators Benedict and Purkitt were, on motion of Senator Thompson, granted leave of absence for this day.

Senator King was, on motion of Senator Flint, granted leave of absence for this day.

Senator Campbell was, on motion of Senator Maddux, granted leave of absence for this day.

Senators Breed, Strobridge and Hans were, on motion of Senator Tyrrell, granted leave of absence for this day.

Senators Birdsall, Owens and Shearer were, by order of the President, granted leave of absence for this day.

## REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

## ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, January 9, 1916.

MR. PRESIDENT: Your Committee on Elections to whom was referred Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof—have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

BENSON, Chairman.

Also :

SENATE CHAMBER, SACRAMENTO, January 9, 1916.

MR PRESIDENT: Your Committee on Elections to whom was referred Assembly Bill No 2—An act to amend sections three, six, and nine of an act entitled “An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act,” approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen—have had the same under consideration, and respectfully recommend that it do pass.

BENSON, Chairman

Assembly Bills Nos. 1 and 2 ordered on file for second reading

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No 1—An act to amend an act entitled “An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act”; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

Strike out of page 21 of the printed bill all of line 14 following the period, all of lines 15 to 21 inclusive, and all of line 22, down to and including the period and insert in lieu thereof the following: “The names of the parties at the heads of the party columns shall be arranged in alphabetical order for the First Assembly District and thereafter for each succeeding Assembly District, the party column appearing first in the last preceding Assembly District shall be placed last, the order of the other party columns remaining unchanged.”

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out of page 32 of the printed bill the last word in line 16, all of line 17 and all of line 18, down to and including the word “eighty-two” and insert in lieu thereof the words “and one thousand two hundred sixty-eight”.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 33 in line 17 of the printed bill insert before the semi-colon the following: “; provided, however, that in entering the statement of such result, the provisions of subdivision six of section one thousand two hundred eighty-two of the Political Code shall apply”.

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 38, line 5 of the printed bill, after the word "vacancy" insert the words "in the membership of such convention".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 38 of the printed bill insert before the word "vacancy" in line 6, the word "such".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 45 of the printed bill strike out of line 7 the word "forty-seven" and insert in lieu thereof the word "twenty-seven".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 2—An act to amend sections three, six, and nine, of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen.

Bill read second time, and ordered on file for third reading.

## ADJOURNMENT.

At eleven o'clock and forty-five minutes a.m., on motion of Senator Thompson the President declared the Senate adjourned.

## IN SENATE.

SENATE CHAMBER, SACRAMENTO, CAL.,

Monday, January 10, 1916.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—34.

Quorum present.

## PRAYER.

Prayer was offered by Rev. Father Henry I. Stark, Chaplain of the Senate.

## READING OF THE JOURNAL.

During the reading of the Journal of Sunday, January 9, 1916, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Beban was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Benedict was, on motion of Senator Thompson, granted leave of absence for this day.

Senator Campbell was, on motion of Senator Maddux, granted leave of absence for this day.

## THIRD READING OF SENATE BILLS.

Assembly Bill No. 1—An act to amend an act entitled “An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act”; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Irwin moved to refer Assembly Bill No. 1 to Senator Stuckenbruck, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

Strike out all of said bill after the enacting clause on page one thereof, and substitute the following:

“SECTION 1. Sections fifteen, sixteen and seventeen, of an act entitled ‘An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions, and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions thereof, approved June 16, 1913, are hereby amended to read as follows:

See 15. The officers for primary elections shall be the same, and shall be appointed in the same manner as provided by law for general elections, and such officers shall receive the same compensation for their services at primary elections as provided by law for general elections.

It shall be the duty of the proper officers to furnish the original affidavits of registration and indexes for use at primary elections, which shall show the names of all voters entitled to vote at such primary elections, and shall be numbered, for purposes of the primary election, in like manner as provided in section one thousand one hundred thirteen of the Political Code, and said affidavits, registration of voters and indexes shall be made, prepared and kept as follows:

The affiant making the affidavit of registration must be a citizen of the United States at least ninety days prior to the next succeeding election, and be at least

twenty-one years of age at the time of such election, and may state in such affidavit the name of any political party or organization with which he intends to affiliate at the ensuing primary election, whether or not such party or organization is a party or organization qualified, at the time of such registration, to participate in such primary election according to the provisions of the Direct Primary Law. Such affidavit must also show:

1 The name at length, including Christian or given name, and middle name, or initial, if any, said Christian or given name, if the name of a woman, to be preceded by the designation of Miss or Mrs., as the case may be.

2. The sex.

3. The occupation.

4. The height.

5. The country or state of nativity.

6. The place of residence of the elector (giving ward and precinct); and in municipal corporations, by specifying the name of the street, avenue, or other location of the dwelling of such elector, with the number of such dwelling, if the same has a number, and if not, then with such description of the place that it can be readily ascertained and identified. If the elector be not the proprietor or head of the house, or the wife or husband of such proprietor, then it must show that fact, and upon what floor thereof, and what room such elector occupies in such house.

7. If naturalized, the place of naturalization.

8. If the elector has acquired citizenship by marriage, the date or year and place of such marriage, and the name of the person to whom married.

9. The date of entry of each person.

10. The post office address.

11. The fact whether or not the elector desiring to be registered is able to read the constitution in the English language and to write his name, and whether or not the elector has any physical disability, by reason of which he can not mark his ballot, and if he can not mark his ballot by reason of physical disability, then the nature of such disability must be entered.

Sec. 16. Any elector offering to vote at a primary election may be challenged by any elector of the city, city and county or county, upon either or all of the grounds specified in section one thousand two hundred thirty of the Political Code but his right to vote the primary election ticket of the political party designated in his affidavit of registration as provided by this act, or his right to vote the non-partisan primary ticket providing no such party is so designated, shall not be challenged on any ground or subjected to any tests other than those provided by the constitution and section one thousand two hundred thirty of the Political Code of this state.

Sec. 17. Any elector qualified to take part in any primary election, who has, at least thirty days before the day of such primary election, qualified by registration, as provided by this act, shall be entitled to vote at such primary election, such right to vote being subject to challenge only as hereinbefore provided, and shall, on writing his name or having it written for him on the roster, as provided by law for general elections in this state, receive the official primary election ballot of the political party designated in his affidavit of registration, or the non-partisan ballot, providing no such party was so designated, and no other, *provided, however,* that no one shall be entitled to vote at any primary election who has not been a resident of the state one year, and of the county ninety days, preceding the day upon which such primary election is held. He shall be instructed by a member of the board as to the proper method of marking and folding his ballot, and he shall then retire to an unoccupied booth and without undue delay stamp the same with the rubber stamp there found. If he shall spoil or deface the ballot he shall at once return the same to the ballot clerk and receive another.

Sec. 2. All acts or parts of acts inconsistent with or in conflict with the provisions of this act, are hereby repealed."

#### POINT OF ORDER.

The President announced that for the same reason that he had ruled Senate Bills Nos. 8 and 9 out of order, as being without the scope of the call for this extraordinary session, the motion of Senator Irwin to refer to Special Committee of One was also out of order.

#### APPEAL FROM DECISION OF THE CHAIR.

Senator Irwin appealed from the decision of the Chair.

The President put the question. "Shall the decision of the President stand as the decision of the Senate?"

## AYES AND NOES DEMANDED.

A roll call was demanded by Senators Duncan, Irwin, and Shearer. Thereupon the Secretary was directed to call the roll.

The roll was called and the decision of the President sustained by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Colm, Crowley, Flint, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Rush, Scott, Slater, Thompson, and Tyrrell—<sup>22</sup>

NOES—Senators Ballard, Duncan, Irwin, Shearer, and Stuckenbruck—5.

## HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., unanimous consent having been accorded thereto, the President ordered the hour of recess extended until twelve o'clock and fifty-five minutes p.m.

## RECESS.

At twelve o'clock and forty-five minutes p.m., on motion of Senator Duncan, the President declared the Senate at recess until two o'clock p.m. of this day.

## RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

## INTRODUCTION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

By leave of the Senate, the following concurrent resolution was offered, out of the regular order:

By Senator Strobridge:

*Resolved by the Senate, the Assembly concurring, That the forty-first (extra) session of the Legislature of the State of California adjourn *sine die* at nine o'clock p.m., Monday January tenth, nineteen hundred sixteen.*

Resolution ordered to print, without reference to committee.

## SENATOR STROBRIDGE IN THE CHAIR.

At three o'clock and thirty minutes p.m., Senator Strobridge of the Thirteenth District was called to the chair.

## LIEUTENANT GOVERNOR IN THE CHAIR.

At three o'clock and forty minutes p.m., Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

## LEAVE OF ABSENCE.

At his own request, Senator King was granted leave of absence from the hour of four o'clock and thirty minutes p.m. for the balance of this legislative day.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.  
CONSIDERATION OF ASSEMBLY BILL NUMBER ONE—(RESUMED).

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Rush, Scott, Slater, Strobridge, Thompson, and Tyrrell—25.

NOES—Senators Ballard, Duncan, Hans, Irwin, King, Purkitt, Shearer, and Stuckenbruck—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

EXPLANATION OF VOTE.

Senator Slater asked for and was granted unanimous consent to have the following explanation of his vote on Assembly Bill No. 1 printed in the Journal:

If there had been a proposition whereby party registration could have been restored at this extraordinary session, I should have preferred and would have supported it. But the Governor's call precludes any change of the registration law which was not placed on the referendum, and the opinion of the Attorney General sustains the latter contention. Therefore, I vote for these bills as the only alternative to straighten out the election tangle and believe the will of the people as expressed against non-partisanship, is being upheld in the provision the bills make for declaration of party at the primary instead of at time of registration, in so far as the scope of the call for this special session allows.

HERBERT W. SLATER.

SECRETARY EDWIN F. SMITH AT THE DESK.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 2 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Rush, Scott, Slater, Strobridge, Thompson, and Tyrrell—25.

NOES—Senators Ballard, Duncan, Hans, Irwin, Owens, Purkitt, Shearer, and Stuckenbruck—8.

Title read and approved.

Bill ordered transmitted to the Assembly

## CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Strobridge asked for and was granted unanimous consent for the consideration at this time of Senate Concurrent Resolution No 4.

## SENATE CONCURRENT RESOLUTION NUMBER FOUR.

Relative to adjournment *sine die*.

*Resolved by the Senate, the Assembly concurring,* That the forty-first (extra) session of the Legislature of the State of California adjourn *sine die* at nine o'clock p.m., Monday, January tenth, nineteen hundred sixteen.

Resolution read.

At the request of Senator Strobridge, Senate Concurrent Resolution No. 4 was passed on file for further consideration.

## RESOLUTIONS.

The following resolutions were offered:

By the Committee on Contingent Expenses:

*Resolved,* That the Controller be and he is hereby authorized to draw his warrant in favor of Thos. A. Brown, Sergeant-at-Arms, for eight dollars (\$8 00), and James B. Newson, Bookkeeper to the Sergeant-at-Arms, for five dollars (\$5 00), payable out of the appropriation for pay of officers and clerks of the Senate, for services to be rendered after the close of this extraordinary session of the Legislature, and the Treasurer is directed to pay the same.

LYON, Chairman.

Resolution read.

Senator Lyon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None

Also by Committee on Contingent Expenses:

*Resolved,* That the Controller be, and he is hereby, authorized and directed to draw his warrant on the Contingent Fund of the Senate, in the sum of forty-eight dollars and fifty-six cents (\$48 56) in favor of Edwin F. Smith, Secretary, to pay the amounts as itemized below, and the State Treasurer is hereby directed to pay the same:

|  |         |
|--|---------|
| Cascade Towel Supply, 550 towels at 40c per 100-----                   | \$2 20  |
| Remington Typewriter Co., rent of 1 typewriter-----                    | 1 50    |
| Underwood Typewriter Co., rent of 3 typewriters and stands-----        | 5 25    |
| American Cash Store, 1 case matches-----                               | 2 75    |
| Sleeper Stamp Co., 6 stamps at 35c-----                                | 2 10    |
| Superintendent Capitol Bldg. and Grounds, stationery and supplies----- | 31 76   |
| Pacific Telephone and Telegraph Co., rent of 3 phones at \$1 00-----   | 3 00    |
|  | \$48.56 |

LYON, Chairman.

Resolution read.

Senator Lyon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Also by Senator Benson :

*Resolved,* That the State Printer be, and he hereby is, instructed to print ten thousand annotated and indexed copies of the Direct Primary Law and of the

Presidential Primary Law passed at the forty-first session of the Legislature, as amended at this extraordinary session, said acts to be bound together in one pamphlet; and be it further

*Resolved*. That the Secretary of State is hereby authorized to receive the same for public distribution, and that ten copies of said combined acts be sent to each member of the Legislature, and be it further

*Resolved*. That the author of said acts be requested to assist in the annotating and indexing thereof, such work to be performed without compensation

Resolution read.

Senator Benson moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Colu, Crowley, Duncan, Flaherty, Flint, Gerdes, Haas, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

RECESS.

At four o'clock and forty minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until five o'clock p.m.

RECONVENED.

At five o'clock p.m. the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

RECESS.

At five o'clock and twenty minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until five o'clock and thirty minutes p.m.

RECONVENED.

At five o'clock and thirty minutes p.m. the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

RECESS.

At five o'clock and thirty-five minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until eight o'clock p.m.

RECONVENED.

At eight o'clock p.m. the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

#### MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1916.

MR PRESIDENT. I am directed to inform your honorable body that the Assembly on this day concurred in Senate Amendments to Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and

providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five twenty-eight, thirty, and thirty-three thereof.

L. B. MALLORY, Chief Clerk of Assembly.  
By M. STERN, Assistant Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1916.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 4—An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act;

Also: Senate Bill No. 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county and to transfer title thereto to the State of California;

Also: Senate Bill No. 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition;

Also: Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to the year 1916.

Also: Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition

L. B. MALLORY, Chief Clerk of Assembly.  
By M. STERN, Assistant Chief Clerk.

Senate Bills Nos. 3, 4, 5, 6 and 7 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1916.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 3—Relative to the construction and maintenance of national military highways.

L. B. MALLORY, Chief Clerk of Assembly.  
By M. STERN, Assistant Chief Clerk.

#### CONSIDERATION OF ASSEMBLY JOINT RESOLUTION—(OUT OF ORDER).

Senator Scott asked for and was granted unanimous consent for the consideration at this time of Assembly Joint Resolution No. 3, without reference to committee.

#### ASSEMBLY JOINT RESOLUTION NUMBER THREE

WHEREAS, There has been introduced in Congress by the Hon. William D. Stephens of Los Angeles, a bill providing for the construction and maintenance of National Military Highways to be used in times of war for the mobilization of troops, and for the transportation of supplies and munitions; and

WHEREAS, The said bill contemplates the utilization of said highways for all highway purposes in times of peace, thus affording a great convenience and benefit to many sections, and all classes of citizens of the United States; and

WHEREAS, Said bill provides for the location of said highway across the northern and southern frontiers of our country and along the eastern and western coast lines, all laterals of which are to be connected with strategic points from the interior; and

WHEREAS, The skill and energy of the engineers and the personnel of our standing army can be used profitably to the end that our country and our state will be greatly benefited; and

WHEREAS, The automobile has become a great factor in modern means of transportation, as is evidenced by their use in the warring nations of Europe; and

WHEREAS, Preparedness can not be complete without the utilization of motor vehicles, and a national highway system commensurate with the exigencies of a great war problem; therefore be it

*Resolved*. That the Assembly and the Senate jointly, of the State of California, do most earnestly urge the Congress of the United States to adopt the said measure now pending before it, and be it further

*Resolved*, That a copy of these resolutions be sent to the Hon. Lindley M. Garrison, Secretary of War, the Hon. William D. Stephens, and to His Excellency, Woodrow Wilson, President of the United States, as well as to our representatives in the Senate and House of Representatives of the United States of America.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 3 adopted by the following vote:

AYES—Senators Ballard, Benson, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Lyon, Mott, Rush, Scott, Slater, Strobridge, and Thompson—21.

NOES—None.

Joint resolution ordered transmitted to the Assembly.

#### MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1916

MR. PRESIDENT. I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No 4—Relative to unemployment.

L. B. MALLORY, Chief Clerk of Assembly.  
By M. STEBN, Assistant Chief Clerk.

#### CONSIDERATION OF ASSEMBLY JOINT RESOLUTION—(OUT OF ORDER).

Senator Flaherty asked for and was granted unanimous consent for the consideration at this time of Assembly Joint Resolution No 4, without reference to committee.

#### ASSEMBLY JOINT RESOLUTION NUMBER FOUR,

Relative to unemployment.

WHEREAS, The United States Department of Labor has, during the past year, conducted an extensive system of labor exchanges, receiving eighty-eight thousand applications for work, fifty-seven thousand of which could not be filled; and

WHEREAS, The department, as a partial solution of the problem, has recommended in its third annual report that the public land tenure be so regulated as to insure to the settler the entire product of his labor through government retention of title, together with financial aid to such of the unemployed as may take up holdings on the public domain, now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly*. That we do hereby endorse the proposed plan as eminently practicable and as marking definite progress toward the solution of the unemployment problem; and be it further

*Resolved*, That the Chief Clerk of the Assembly be and he hereby is instructed to forward a copy of these resolutions to the United States Secretary of Labor.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 4 adopted by the following vote:

AYES—Senators Benson, Brown, Butler, Carr, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones Kehoe, Luce, Lyon, Purkitt, Rush, Scott, Shearer, Slater, Strobridge and Thompson—21.

NOES—None.

Joint resolution ordered transmitted to the Assembly.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Strobridge asked for and was granted unanimous consent for the consideration at this time, out of the regular order, of Senate Concurrent Resolution No. 4.

## SENATE CONCURRENT RESOLUTION NUMBER FOUR,

Relative to adjournment *sine die*

*Resolved by the Senate, the Assembly concurring.* That the forty-first (extra) session of the Legislature of the State of California adjourn *sine die* at nine o'clock p.m., Monday, January tenth, nineteen hundred sixteen

## AMENDMENT FROM THE FLOOR.

The following amendment was offered and its adoption moved by Senator Strobridge:

## AMENDMENT NUMBER ONE.

Amend Senate Concurrent Resolution No. 4 by striking out on line 3 all after the word "at" and all of line 4, and insert in lieu thereof "twelve o'clock, noon, Tuesday, January eleventh, nineteen hundred sixteen."

Amendment adopted.

Resolution ordered to print.

## RESOLUTION.

The following resolution was offered:

By the Committee on Contingent Expenses:

WHEREAS, It is necessary to employ certain statutory legislative employees of the Superintendent of Capitol Building and Grounds during the special session of the Legislature to properly accommodate said body, and also to do certain necessary clean-up work of the legislative chamber and committee rooms after adjournment; and

WHEREAS, There is no statutory provision for the salaries of said legislative employees for an extraordinary session, now, therefore, be it

*Resolved*, That the State Controller be and he is hereby directed and authorized to draw his warrant upon the Contingent Fund of the Senate in favor of George G. Radcliff, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred twenty dollars (\$120 00) said amount being in payment of said services.

LYON, Chairman.

Resolution read.

Senator Lyon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Lyon, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, and Thompson—23.  
NOES—None.

## WITHDRAWAL OF BILLS.

Senator Benson asked for and was granted unanimous consent to withdraw Senate Bills Nos. 1 and 2.

Senate Bills Nos. 1 and 2 ordered withdrawn and stricken from the file.

## ADJOURNMENT.

At eight o'clock and forty minutes p.m., on motion of Senator Thompson, the President pro tem. declared the Senate adjourned until Tuesday, January 11, 1916, at nine o'clock and thirty minutes a.m.

## IN SENATE.

SENATE CHAMBER, SACRAMENTO, CAL.

Tuesday, January 11, 1916.

Pursuant to adjournment, the Senate met at nine o'clock and thirty minutes a.m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

The roll was called and the following answered to their names:

Senators Ballard, Benson, Birdsall, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—28.

## PRAYER.

By invitation of the President pro tem., prayer was offered by Rev. C. E. Farrar.

## READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 10, 1916, the further reading was dispensed with on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Beban was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Benedict was, on motion of Senator Carr, granted leave of absence for this day.

Senator King was, on motion of Senator Flint, granted leave of absence for this day.

Senators Campbell and Maddux were, on motion of Senator Stuckenbruck, granted leave of absence for this day.

Senators Breed, Tyrrell and Hans were, on motion of Senator Strobridge, granted leave of absence for this day.

Senator Chandler was, on motion of Senator Mott, granted leave of absence for this day.

## RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

*Resolved*, That the Controller be and he hereby is directed to draw his warrant in favor of Thos. A. Brown, Sergeant-at-Arms, for the sum of twenty-five dollars, and the Treasurer is directed to pay the same, payable out of the Contingent Fund of the Senate, to pay for packing and forwarding the papers and documents of the Senators to their respective places of residence.

LYON, Chairman.

Resolution read.

Senator Lyon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Benson, Birdsall, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Luce, Lyon, Mott, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—23.

NOES—None.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION.

## SENATE CONCURRENT RESOLUTION NUMBER FOUR.

Relative to adjournment *sine die*.

*Resolved by the senate, the assembly concurring,* That the forty-first (extra) session of the legislature of the State of California adjourn *sine die* at twelve o'clock noon, Tuesday, January eleventh, nineteen hundred sixteen

Resolution read previously.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 4 adopted by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Brown, Butler, Carr, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Luce, Lyon, Mott, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—23.

NOES—None.

## RECESS.

At nine o'clock and forty-five minutes a.m., on motion of Senator Crowley, the President pro tem declared the Senate at recess until ten o'clock a.m.

## RECONVENED.

At ten o'clock a.m. the Senate reconvened.

Hon Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1916.

MR PRESIDENT I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 4—Relative to adjournment *sine die*.

L. B. MALLORY, Chief Clerk of Asesembly.  
By M. STERN, Assistant Chief Clerk.

Senate Concurrent Resolution No. 4 ordered to enrollment.

## RECESS.

At ten o'clock and fifteen minutes a.m.. on motion of Senator Strobridge, the President pro tem. declared the Senate at recess until ten o'clock and thirty minutes a.m.

## RECONVENED.

At ten o'clock and thirty minutes a.m. the Senate reconvened

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

## REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

## ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 11, 1916.

MR PRESIDENT Your Committee on Engrossment and Enrollment have examined Senate Bill No. 4—An act to authorize and empower the board of trustees of the San Francisco state normal school to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a

new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act:

Also Senate Bill No. 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county of San Francisco, and to transfer title thereto to the State of California;

Also Senate Bill No. 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition,

Also Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the board of park commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to include the year 1916:

Also Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition;

And report that the same have been correctly enrolled, and presented the same to the Governor on this 11th day of January, 1916, at ten o'clock a.m.

FLAHERTY, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, January 11, 1916.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Concurrent Resolution No. 4—Relative to adjournment *sine die*—and report that the same has been correctly enrolled, and presented the same to the Governor on this 11th day of January, 1916, at ten o'clock and thirty minutes a.m.

FLAHERTY, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, January 11, 1916.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Concurrent Resolution No. 3—Relative to the commission for relief in Belgium:

Also: Senate Concurrent Resolution No. 1—Relative to adoption of joint rules;

Also: Senate Concurrent Resolution No. 2—Relative to the celebration by the people of Marin County of the landing of Drake's armada on the shores of California; And report that the same have been correctly enrolled, and presented the same to the Governor on this 11th day of January, 1916, at ten o'clock a.m.

FLAHERTY, Chairman.

RECESS.

At ten o'clock and forty-five minutes a.m., on motion of Senator Birdsall, the President pro tem. declared the Senate at recess until eleven o'clock and fifteen minutes a.m. of this day.

RECONVENED.

At eleven o'clock and fifteen minutes a.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

#### MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read and ordered printed in the Journal:

STATE OF CALIFORNIA, EXECUTIVE OFFICE, SACRAMENTO

*To the Senate of the State of California.*

There have been transmitted to me this day as duly passed by both houses of the Legislature, Senate Bill No. 3, Senate Bill No. 4, Senate Bill No. 5, Senate Bill No. 6, and Senate Bill No. 7, and prior to your adjournment, I desire to advise you that these bills have been duly signed and approved by me.

Dated, January 11, 1916.

HIRAM W. JOHNSON,  
Governor of the State of California.

## RESOLUTIONS.

The following resolutions were offered:

By Senator Strobridge:

*Resolved*, That a committee of three be appointed to notify the Assembly that the Senate is ready to adjourn *sine die*, and to ask if the Assembly has any further communication to transmit to the Senate.

Resolution read, and, on motion adopted.

## APPOINTMENT OF COMMITTEE.

In accordance with the above resolution, Senators Strobridge, Rush, and Stuckenbruck were named by the President pro tem. as a committee to notify the Assembly that the Senate was ready to adjourn *sine die*.

## RESOLUTIONS—(RESUMED).

By Senator Birdsall:

*Resolved*, That a committee of three be appointed to notify the Governor that the Senate is ready to adjourn *sine die*, and to ask if he has any further communication to transmit to the Senate.

Resolution read, and, on motion adopted.

## APPOINTMENT OF COMMITTEE.

In accordance with the above resolution Senators Birdsall, Mott and Cohn were named by the President pro tem. as the committee to notify the Governor that the Senate was ready to adjourn *sine die*.

## APPROVAL OF JOURNALS.

On motion of Senator Kehoe the Journals of Saturday, January 8, 1916, Sunday, January 9, 1916, and Monday, January 10, 1916, were approved as corrected.

## REPORT OF SPECIAL COMMITTEE.

Senator Strobridge, as chairman of the committee appointed to notify the Assembly that the Senate was ready to adjourn *sine die*, reported that the committee had notified the Assembly according to its instructions, and that Assembly would shortly convey a message to the Senate through their committee.

## REPORT OF SPECIAL COMMITTEE.

Senator Birdsall, as chairman of the committee appointed to wait upon the Governor and inform him of the Senate's readiness to adjourn *sine die*, reported that his Excellency had informed the said committee that he had no further communication to transmit to the Senate.

## MESSAGE FROM THE ASSEMBLY.

At eleven o'clock and fifty minutes a.m., a committee from the Assembly, consisting of Messrs. Harris, chairman, Hawson and Boude, appeared at the bar of the Senate and announced that the Assembly had no further communication to transmit to the Senate, and now was prepared for adjournment *sine die*.

## APPROVAL OF MINUTES.

The minutes of Tuesday, January 11, 1916, were read, and, on motion of Senator Strobridge, were approved as read.

## ADJOURNMENT SINE DIE.

Whereupon, at twelve o'clock noon, in accordance with the provisions of Senate Concurrent Resolution No. 4, the President pro tem. declared the forty-first (extraordinary session) of the Senate of the State of California adjourned *sine die*.

JOHN M. ESHLEMAN,  
President of the Senate.

NEWTON W. THOMPSON,  
President pro tem. of the Senate.

EDWIN F. SMITH,  
Secretary of the Senate.

CLIFTON E. BROOKS,  
Minute Clerk of the Senate.

CARRIE A. GARRISON,  
Journal Clerk of the Senate.